

Exhibit C

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1 Q. Did you first start accepting flocks in
2 2006 or was there a period of time from when you
3 signed the agreement to when you first started
4 taking flocks?

5 A. I know I met with them and we signed an
6 agreement. And then I can't remember how long it
7 was, but after that. It might have been a while, a
8 few months, you know, to close the loan or whatever.
9 I'm sure it was before I grew.

10 Q. Before you were a grower with Perdue you
11 worked with ConAgra and Seaboard. Is that right?

12 A. Yeah.

13 Q. I know we talked about this a little
14 before. And you started growing with Seaboard in
15 the 1980s. Is that right?

16 A. I believe so, yeah.

17 Q. Okay. And I believe you testified
18 before that you were a 1099 independent contractor
19 with them at one point. Is that right?

20 A. I believe so, yeah.

21 Q. Okay. Did you sign a Poultry Producer
22 Agreement or similar Independent Contractor
23 Agreement with Seaboard when you were a 1099
24 independent contractor?

25 A. I don't remember an Independent

1 Contractor Agreement. I know I signed a contract.

2 Q. Do you remember what provisions were in
3 the contract?

4 A. Just growing -- you know, basically,
5 growing chickens. I would grow chickens for them.

6 Q. Were you required to comply with certain
7 biosecurity standards when you were a 1099
8 contractor with Seaboard?

9 A. Biosecurity. I don't remember them
10 saying anything about biosecurity back then.

11 Q. Were you subject to any guidelines --
12 any animal welfare guidelines with Seaboard?

13 A. I don't think so. We took care of the
14 chickens, if that's what you're saying. You know,
15 we --

16 Q. Did you -- sorry. Go ahead.

17 A. I'm sorry. No.

18 Q. Do you recall getting any sort of
19 documents regarding animal care, equipment, housing,
20 when you were with Seaboard?

21 A. Now, I met with the field people, but I
22 don't remember anything coming out, like do this or
23 do that, you know, with -- with Seaboard.

24 Q. Okay. When you were with Seaboard did
25 management visit your farm from time to time to

1 check on the chickens?

2 A. Yes, ma'am.

3 Q. How often did they do that?

4 A. Sometimes once a month, sometimes twice
5 a month. It's not -- you know, just different
6 times.

7 Q. And what was your understanding of why
8 they were coming out to your farm?

9 A. The field man come by and tested to see
10 how the birds were doing, as far as size and weight
11 and things like that.

12 Q. If they discovered any issues as a
13 result of their visit, how were those handled?

14 A. If they discovered any issues, normally
15 they would say something to me, you know, if there
16 was something -- I can't remember a time, but, you
17 know, I'm sure they did.

18 Q. Do you recall having to make various
19 improvements to your houses back with Seaboard when
20 you were an independent contractor?

21 A. No. We grew for them a long time and I
22 don't think --

23 Q. How many houses did you have when you
24 grew with them?

25 A. We started with two and then later built

1 two more. So it's part of the time two, part of the
2 time four.

3 Q. Okay. How were you compensated when you
4 were an independent contractor grower with Seaboard?

5 A. Yeah. When I had a contract with them?

6 Q. Uh-huh. Yes.

7 A. Say that again so I make sure I got the
8 question right.

9 Q. Sure. I can ask it differently if it
10 would help.

11 A. All right.

12 Q. Are you familiar with the term
13 "tournament system"?

14 A. Yes.

15 Q. Were you compensated under a similar
16 tournament system when you were with Seaboard?

17 A. I don't -- I don't know that I was or
18 wasn't. I don't think so. It wasn't -- it wasn't
19 anything like Perdue has, I don't think.

20 Q. Okay. And at some point you became a
21 grower with ConAgra. Is that right?

22 A. Yes, ma'am.

23 Q. Okay. And before that, real fast, you
24 grew with Seaboard about ten years. Is that right?

25 A. Yeah. I believe it was, yeah.

1 Q. And then you were a grower with ConAgra
2 for five or six years. Is that right?

3 A. Yes, ma'am.

4 Q. How many flocks did you accept when you
5 were with ConAgra?

6 A. Like per year? Per --

7 Q. Per year.

8 A. Usually five to six, sometimes seven.

9 Q. Do you recall how you were compensated
10 when you were a grower with ConAgra?

11 A. I believe, given a check.

12 Q. Was it based on bird weight? Or do you
13 recall what the basis for your check was?

14 A. So much per pound is my understanding.

15 Q. Did it work similar to your compensation
16 with Perdue?

17 A. No, ma'am.

18 Q. Okay. How was it different?

19 A. Well, with the tournament system
20 everything is different. I don't remember ever
21 being pitted against anyone else to grow with them.

22 And with the system that Perdue has
23 you're given baby birds, sometimes from an old hen
24 to a young hen, and that's a big difference on how
25 they perform.

1 You're given different type birds that
2 you don't know what you're growing. Some like air,
3 some don't like air. All these factors are going to
4 come into how you grow.

5 Sometimes you're given more feed. You
6 have got three types of feed, starter, finisher and
7 grower. And sometimes if you're given -- because I
8 had two farms I could know how much feed of each one
9 was given. Sometimes you would get better feed,
10 because you would get more of the better feed than
11 other times.

12 And then you were -- as you grew and the
13 birds got larger you then -- you know, it was
14 similar about the catch times and stuff like that
15 was, you know, almost the same, but the rest of it
16 was a good bit different.

17 Q. Okay. So my question was, were you
18 compensated similarly, and your answer is "No." Is
19 that right?

20 A. Yes, ma'am.

21 Q. Did you operate as an independent
22 contractor grower with ConAgra?

23 A. I had a contract with ConAgra. I didn't
24 feel -- you know, I don't really know how to answer
25 that. But I had a contract.

1 Q. Did you feel as though you were treated
2 as an independent contractor with ConAgra?

3 MS. VAUGHN: Objection to form.

4 THE WITNESS: Yeah, I don't think so. I
5 mean, it's a total different field, two different
6 companies.

7 BY MS. SANTEN:

8 Q. Okay. And why do you feel like you
9 weren't treated as an independent contractor with
10 ConAgra?

11 A. I didn't have the -- near the
12 regulations and oversight and daily, you know,
13 things to accomplish as far as the amount of stuff
14 that I needed done.

15 Q. My question was, why did you feel like
16 you were not treated as an independent contractor
17 with ConAgra?

18 A. Oh. I thought you were comparing the
19 two.

20 Q. No. ConAgra.

21 A. Say it again. Independent contractor
22 with ConAgra.

23 Q. Yeah. You said you felt like you
24 weren't treated as an independent contractor with
25 ConAgra.

1 A. Oh. With them. With ConAgra. My bad.
2 My bad. I misunderstood the question.

3 Well, I didn't -- I guess without
4 comparing the two it's hard to get the answer
5 because it was just a different environment.

6 Q. Do you believe you were not treated as
7 an independent contractor with ConAgra?

8 A. I didn't feel that way.

9 Q. Okay. And with ConAgra only, why do you
10 feel like you weren't treated as an independent
11 contractor?

12 A. Again, I didn't have somebody -- I
13 didn't have the same regimen, the same -- and back
14 in that situation I just didn't -- I just didn't
15 have anybody on -- you know, on me as far as
16 controlling every little thing, you know?

17 Q. Okay. My question is -- and please
18 listen carefully because I want to make sure you're
19 responding to my question -- why do you think you
20 were not treated as an independent contractor with
21 ConAgra? We are not talking about Perdue. With
22 ConAgra --

23 A. With ConAgra, yeah.

24 Q. -- why did you feel like you weren't
25 treated as an independent contractor?

1 A. Again, it's the oversight difference. I
2 didn't have anybody on me every -- you know, like
3 boom, boom, boom.

4 Q. So you didn't feel like you were treated
5 as an independent contractor with ConAgra because
6 you didn't have anybody over you? Is that right?

7 A. No. I wasn't -- in comparison to the
8 two, looking back, I wasn't -- I didn't have
9 somebody -- if that's what you're saying, yes.

10 Q. No. My question is, why do you feel
11 like you weren't treated as an independent
12 contractor with ConAgra? We are not talking about
13 Perdue. We are not talking about comparing the two.

14 A. I get that.

15 Q. With ConAgra do you feel like you were
16 treated as an independent contractor?

17 A. No. And I don't -- I don't know how an
18 independent contractor is supposed to be treated in
19 the poultry industry, so that's why I'm having
20 trouble answering your questions.

21 Q. Okay. Did you ever bring a lawsuit
22 against ConAgra about the way you were treated?

23 A. No.

24 Q. Okay. Were you required to comply with
25 ConAgra -- I'm not talking about Perdue. When you

1 were a grower with ConAgra were you required to
2 comply with any sort of animal welfare
3 specifications?

4 A. They let you grow pretty much, I mean,
5 independently if you -- I mean, they would give you
6 suggestions as field people, you know, to help you,
7 but that was about it. It wasn't -- it wasn't a
8 mandatory -- you know, it wasn't -- it was just
9 different.

10 Q. Did you have management come visit your
11 farm when you were a grower with ConAgra?

12 A. "Management" meaning a field supervisor?
13 Yes, ma'am.

14 Q. Okay. And how often did they do that?

15 A. Once a month, maybe twice a month.

16 Q. What was your understanding of the
17 purpose of their visits?

18 A. To check on the birds, the sizes and,
19 you know, turn in numbers, you know, how -- they
20 would tell them how big the bird was going to be for
21 production. You know -- you know, just general
22 oversight, I guess. I don't know.

23 Q. Did you ever have to make any
24 improvements to your houses when you were a grower
25 with ConAgra?

1 A. I thought I answered that.

2 Q. We were talking about Seaboard, I
3 believe.

4 A. Okay. ConAgra. Okay. We are up the
5 road now, then. It was similar for both companies,
6 growing for them. I don't think I ever had
7 mandatory upgrades, that I know of, that I can
8 remember right now.

9 Q. Did you make voluntary upgrades to your
10 houses when you were a grower with ConAgra?

11 A. If I saw something new coming out I
12 would do it, you know, on my own.

13 Q. And why would you do that on your own?

14 A. I tried to do a better job for them; you
15 know, make a better bird.

16 Q. If you made a better bird would you get
17 compensated better?

18 A. Well, I would have more pounds. Yeah.

19 Q. Okay. If ConAgra saw an issue when they
20 were at your farm doing a visit, how would that be
21 handled?

22 A. If they saw an issue?

23 Q. If they saw something with the birds
24 would they discuss that with you?

25 A. Normally, if there was something -- like

1 had disease or something inside the house they would
2 bring me medication and stuff for, you know,
3 whatever it was.

4 And issues inside the house, I don't
5 remember having issues inside the house. But if
6 that did come up, I'm sure that they could have said
7 something to help me, you know?

8 Q. Did you ever have to make any
9 improvements to your houses before they gave you any
10 additional flocks with ConAgra?

11 A. No. Never.

12 Q. Okay. So before you --

13 A. We were their top grower. I mean -- I'm
14 sorry. Go ahead.

15 Q. That's okay.

16 So before you came to work with Perdue
17 you had about fifteen years as a grower. Is that
18 right?

19 A. Somewhere in that line, yes.

20 Q. And in your prior deposition you
21 testified that when you came to Perdue and purchased
22 the Hillsboro farm, the farm was in working order
23 when you took it over. Is that right?

24 A. The Hillsboro farm?

25 Q. Uh-huh. Correct.

1 houses shortly after you purchased the farm. What
2 upgrades did you have to make at that time?

3 A. I had to extend the cool cell and
4 curtain and add -- if I'm remembering, I think it
5 was a fan, add a fan to the back, a 52-inch.

6 I'm trying to think of what else. I was
7 thinking it was something else to do with
8 ventilation, but I just can't remember what all was
9 on that list.

10 Q. Do you recall how much money you had to
11 spend in those upgrades?

12 A. I would -- I'm thinking around 25,000.

13 Q. And why did you make those upgrades?

14 A. Perdue has -- had gone to tier 4 -- or
15 tier 3, I think. I can't remember which tier.
16 Don't hold me to it. And that was the only way to
17 get a raise.

18 When I got my first check it was \$7,000
19 and didn't cover the gas, and so I had to do
20 something because I knew I was -- had no -- no other
21 income at the time.

22 Q. So if you wanted to make more money, you
23 felt you had to go to tier 4. Is that right?

24 A. That was the only way with them. Yeah.
25 I worked twelve years and we never had a

1 cost-of-living increase.

2 Q. When you were a grower with Perdue could
3 you grow other livestock on your farm?

4 A. Yes.

5 Q. Okay. Did you do that when you were a
6 grower?

7 A. I had some cows. Yes, I did.

8 Q. Do you recall how long you did that?

9 A. Four cows came -- or stayed with the
10 farm when the owner left. And they just -- you
11 know, whatever they had, calves, and then it went
12 from there. I never bought a cow.

13 Q. Did you make income from the cows?

14 A. From selling the cows, I believe we did
15 early on, yeah.

16 Q. Do you recall how much you made from
17 that?

18 A. No, ma'am. It was just -- we would sell
19 them a few hundred dollars apiece, but I don't know
20 what was made.

21 Q. Let me just look at one thing. Well, we
22 will look at it later since I don't have it.

23 Okay. Did you ever add more houses to
24 the Hillsboro farm during the time that you owned
25 it?

1 A. No. I actually lost one.

2 Q. And you lost that in -- was it a
3 tornado?

4 A. Yeah.

5 Q. Did you get disaster-relief pay in
6 connection with that one loss?

7 A. No. Because of the age of the house, I
8 guess it was -- the rest were new and that was a
9 little older house, I didn't be have that much
10 insurance on it.

11 Q. Okay. So you were the one responsible
12 for absorbing that loss when that house was gone?

13 A. Yes. Yes.

14 Q. Okay. Do you recall how much income you
15 lost as a result of that house?

16 A. No, ma'am. It was a small house. But I
17 don't remember.

18 Q. Okay. Did you ever -- why did you
19 decide to not build any more houses on Hillsboro?

20 A. At the time Perdue wouldn't allow me to
21 build back.

22 Q. Did you ask them if you could build
23 back?

24 A. Yeah.

25 Q. And when did you ask them if you could

1 build back?

2 A. Well, whenever I -- whenever it fell
3 they said, basically, if I remember right -- I don't
4 remember all the conversation. But basically, I was
5 trying to build, if I remember right, two houses.
6 Because it was going to cost so much, I couldn't
7 afford the one to make it cash flow. And if I
8 remember -- if my memory serves me correct, that was
9 the reason.

10 Q. Who do you recall speaking with about
11 that?

12 A. It would have been whoever was over
13 doing houses with Perdue at the time. I don't -- I
14 just don't -- I can't remember who it was.

15 Q. And what did they say to you,
16 specifically?

17 A. If I remember, they wouldn't take over
18 any other new houses. And I couldn't build back.
19 One wouldn't cash flow, the bank wouldn't do one,
20 and so I was in a deadlock. I couldn't do anything
21 about it.

22 Q. Did you submit a proposal to the bank to
23 try to get financing for one?

24 A. Well, I talked to them. I didn't do a
25 proposal. And that was it.

1 Q. What did the bank say to you?

2 A. Well, they just looked at the numbers
3 and the cash flow and said it wouldn't cash flow.

4 Q. Okay. Did you try to get financing from
5 anywhere else?

6 A. No. I couldn't, not without refinancing
7 the whole farm.

8 Q. Okay. Then at some point you decided to
9 buy another farm. Is that right?

10 A. Yes. Later, after doing upgrades on the
11 farm, the guy was about to lose the farm, I think.
12 Yeah. I don't know for sure. I don't know what the
13 stipulations were with him, but it's my
14 understanding he was -- he hadn't had it but a year
15 or so or two years and was about to lose -- you
16 know, lose the farm.

17 Q. Did you buy the farm from him directly
18 or did you mortgage with a bank?

19 A. I mortgaged with a bank.

20 Q. Okay. And that was in Milledgeville.
21 Right?

22 A. Yes, ma'am.

23 Q. Was that 2014 or 2015? Is that right?

24 A. No. I think it was 2009, if I remember.
25 I don't know. I'm thinking it was -- I don't know.

1 I would have to go back and look at the dates. I
2 guess I'm confused on that.

3 Q. In your prior deposition you said that
4 you purchased that around 2014 or 2015.

5 A. Yeah. I don't -- I really, now that I
6 look back at some of the dates, I think it might
7 have been '9.

8 Q. Okay. Did you sign a separate contract
9 in connection with that purchase, a separate Poultry
10 Producer Agreement with Perdue?

11 A. I believe it was, yeah.

12 Q. Okay. And how much did you buy the
13 Milledgeville farm for?

14 A. I think it was 980-something. 980,000.
15 Right at a million dollars.

16 Q. Did you finance that purchase with First
17 Financial Bank as well?

18 A. I did.

19 Q. Could you have financed that with
20 another bank if you wanted to?

21 A. Possibly. I didn't try.

22 Q. If you had the cash, could you have
23 bought it with cash?

24 A. Sure.

25 Q. And that was a mortgage. Right? So you

1 were responsible for the payments and you were
2 responsible if there was a default. Is that
3 correct?

4 A. Yes.

5 Q. Was that the same with the prior loan
6 you took? It was like a mortgage, so you were
7 responsible for the payments. Correct?

8 A. Say that again now. Prior --

9 Q. With the Hillsboro house and the loan
10 you took to secure the Hillsboro house, you were
11 responsible for those payments. Right?

12 A. Yeah. I was responsible for payment on
13 both.

14 Q. Okay. And if you defaulted, you were
15 responsible for whatever happened. Is that right?

16 A. Yes.

17 Q. Okay. Did you and Gail purchase both of
18 those farms, both Hillsboro and Milledgeville
19 together?

20 A. Yes.

21 Q. And when you purchased Milledgeville, I
22 think, before, you said there were six houses on
23 that property. Is that right?

24 A. There were.

25 Q. Why did you decide to purchase a second

1 farm?

2 A. Well, if you -- there was -- like where
3 I had five or four houses and had an income, that
4 was six houses with less money to pay on the
5 payment. So the income was, you know --
6 profit-to-loss ratio, I guess, was better on that
7 particular farm.

8 Q. So you viewed it as a way to make some
9 additional money. Right?

10 A. Yes, I guess. Yeah. And -- well, you
11 have got to have equipment, and I had the equipment,
12 so I didn't have to buy that again.

13 Q. So did you have the equipment from the
14 other farm? Or what did you have the equipment
15 from?

16 A. Yeah. I had already equipment for both
17 farms. I would bring it back and forth on my trip.

18 Q. When you were deciding whether to buy
19 that farm, what factors were you considering? Were
20 you looking at the potential profitability of that
21 farm and the cost to operate it?

22 A. I guess just oversight, knowing that the
23 first farm was not making enough money to survive, I
24 was thinking that the other farm, by buying it --
25 being a better deal, I guess, if you want to put it

1 that way, than the first farm, having six houses
2 versus four after that blew down and -- well, even
3 five. Because five -- it was really like four and a
4 half houses when I bought it. It would be -- it
5 would make it to where, you know, I wouldn't go
6 under.

7 Q. Yeah, I asked, because you said you
8 thought about the profit/loss ratio. So what did
9 you mean when you said you thought about the
10 profit/loss ratio?

11 A. Six houses, versus the other farm having
12 less houses. Of course six will bring more in.

13 Q. When you said you already had the
14 equipment for both farms, why did you have equipment
15 for both farms when you just owned Hillsboro?

16 A. I could take -- I put it in my truck and
17 go back and forth. It was an hour's drive, but I
18 did it.

19 Q. So you didn't have to reinvest. So you
20 could use your same equipment from Hillsboro to
21 Milledgeville.

22 A. Yes, ma'am.

23 Q. And that was your decision, to go back
24 and forth versus buying new equipment. Right?

25 A. Yes, ma'am. I couldn't afford it.

1 will be testifying as a representative of your
2 business for certain questions, which means that
3 whatever testimony you provide is binding on your
4 business.

5 A. All right. I remember.

6 Q. Okay. When you were a grower, you also
7 operated an outside business called Parker's Poultry
8 and Equipment. Is that right?

9 A. Yeah. At the early months, yeah --
10 years.

11 Q. Why did you start that business?

12 A. I renovated a house. And Perdue asked
13 me would I do further upgrades for the farms, and I
14 did because I had construction background. And
15 that's why I did it.

16 Q. Okay. When did you start that business?

17 A. It would have been when I was at
18 Hillsboro, so that would be 2000 -- I don't know.
19 2000, just guessing, 7 or 8, you know?

20 Q. Okay. Did you ever incorporate that
21 business or form a separate legal entity?

22 A. No.

23 Q. Okay. How did you come up with the
24 business name?

25 A. It was my name.

1 Q. Did you have a separate business
2 checking account?

3 A. From what?

4 Q. For Parker's Poultry and Equipment.

5 A. Yeah. I think so, yeah.

6 Q. Okay. Would you deposit any money that
7 Parker's Poultry and Equipment made into the
8 business checking account?

9 A. Yeah, I should have.

10 Q. Okay. Were you --

11 A. I just -- I don't -- I can't remember if
12 I did it as a separate account. I believe I did. I
13 don't --

14 Q. Okay. Were you the only person involved
15 in that business, or did your son or wife do some
16 work in that business as well?

17 A. I had a son that worked for me some.

18 Q. Okay. Did you have any other employees
19 for that business?

20 A. I would -- yeah. I had a guy that
21 worked for me that helped me do installs.

22 Q. Okay. What was his name?

23 A. Robert Taylor.

24 Q. How did you pay Mr. Taylor?

25 A. We would go bid a job together, and then

1 when we were done he was paid.

2 Q. Did you pay him by the hour or did you
3 pay a set amount?

4 A. A set amount.

5 Q. How did you determine that set amount?

6 A. Just whatever he thought he needed to do
7 the install.

8 Q. Would he tell you what price, or would
9 you give him a price that you would be willing to
10 pay?

11 A. Usually it was common; you know, we
12 agreed on a price.

13 Q. Did you pay him on a 1099?

14 A. I believe so.

15 Q. Okay. Other than your son and
16 Mr. Taylor did anyone else work for you in your
17 Parker's Poultry and Equipment construction
18 business?

19 A. I mean, day -- day labor, but I can't
20 remember them all. You know, they would sometimes
21 give me a hand.

22 Q. How did you find your day labor?

23 A. It's just guys in the community usually.

24 Q. Would you train them?

25 A. Not necessarily needed training for what

1 we were doing.

2 Q. What work would you have them do?

3 A. Just picking up; you know, clean up,
4 stuff like that.

5 Q. And you mentioned you had a construction
6 background. What was your construction background?

7 A. I used to build spec houses, things.

8 Q. Okay. Do you remember how many years
9 you operated that business?

10 A. Which business?

11 Q. Parker's Poultry and Equipment.

12 A. I don't. I think maybe four, five
13 years. I'm just guessing.

14 Q. Okay. Did you advertise for that
15 business?

16 A. We had a -- I think we had a website,
17 but I didn't actually advertise.

18 Q. Okay. What do you recall about the
19 website?

20 A. I just remember my son setting one up.

21 Q. Did you review the website?

22 A. I mean, I saw it before, yeah.

23 Q. What was the purpose of the website?

24 A. People could see what equipment we
25 carried and things like that. But I didn't sell out

1 of it.

2 Q. So what business services did Parker's
3 Poultry and Equipment provide?

4 A. Water lines, feed lines, those type.
5 You know, just poultry equipment for the inside of
6 the chicken house, and could build new homes if
7 needed.

8 Q. How did you -- would you buy the poultry
9 equipment and then have some on inventory to sell?
10 Or how did that work?

11 A. Say that again. Inventory.

12 Q. Yeah. You said that you would sell
13 poultry equipment.

14 A. Normally -- normally I bought -- had it
15 delivered to the farm. I didn't carry much
16 inventory.

17 Q. So you would buy poultry equipment for
18 other people and they would pay you?

19 A. Yeah, for the farm, whatever job.

20 Q. So you had a website. And is it fair to
21 say the purpose of the website was to advertise for
22 business for Parker's Poultry and Equipment?

23 A. I don't know as much advertisement. It
24 was just knowledge of what I did carry. But I guess
25 in a sense it was.

1 Q. Okay. Were you hoping that if people
2 saw the website they would give you some business
3 and call you?

4 A. I never answered a call through the
5 website, so I don't -- don't -- not to my knowledge.

6 Q. Did you use business cards with your
7 business?

8 A. I don't think so. I might have, but I
9 just don't -- I don't remember.

10 Q. Okay. I'm going to mark --

11 MS. SANTEN: Are we on Exhibit 10?

12 THE COURT REPORTER: Yes.

13 BY MS. SANTEN:

14 Q. Okay. Mark what we are -- mark what we
15 are going to call Exhibit 10.

16 (Defendant's Exhibit No. 10, Parker's Poultry
17 Equipment Website, was marked)

18 BY MS. SANTEN:

19 Q. And do you recognize this as the website
20 you were referring to that your son set up? It's a
21 copy, but does this look accurate?

22 A. It looks -- I believe it is. Yeah. I
23 mean, it's some of the stuff that I carried, yeah.
24 I really don't remember what all it looked like, to
25 be honest, it has been so many years.

1 Q. Did you prepare this Intro here? The
2 Intro says: "Offering more than 25 years experience
3 in the industry, Parker's Poultry Equipment is an
4 industry leader in the sales and installs of poultry
5 equipment. There's no job too big or too small for
6 us, so give us a call today." Did you prepare that?

7 A. Yeah. That's referring to Robert, but
8 yeah.

9 Q. So you approved that language.

10 A. I didn't do it personally. I didn't --
11 I didn't write it. I guess Simon wrote it.

12 Q. Did you approve that language before it
13 was posted?

14 A. No. No. I didn't even know. He just
15 told me he had it set up. I just went and looked at
16 it.

17 Q. Okay. But when you looked at it you
18 didn't tell -- you didn't see that and tell him to
19 take it down?

20 A. I don't -- I don't remember ever seeing
21 it, really.

22 Q. You just said you looked up the website.
23 So what did you look up when you pulled it up?

24 A. I mean, I didn't read -- I didn't read
25 this. I didn't -- I didn't -- I may have -- if I

1 did read it, I didn't pay attention to it.

2 Q. Okay. But this was posted on behalf
3 your business Parker's Poultry Equipment. Correct?

4 A. Yes, it was, apparently.

5 Q. Okay. So go to Perdue 007224. There is
6 a message here: "Parker's Poultry Equipment March
7 11, 2014. We have new 54" fans in stock. Call" --
8 and then a phone number. Is that your phone number
9 that's listed there?

10 A. I guess he used it. Yeah.

11 Q. Okay. And it's your testimony that your
12 son put this on your website on your behalf?

13 A. I guess he did.

14 Q. Okay. You have no reason to believe
15 that's inaccurate?

16 A. I don't know if I had 54-inch fans at
17 that time or not. I would be guessing if I said it.
18 But, you know, if we put it in there I'm assuming
19 it's correct.

20 MS. SANTEN: Okay. Just one second.

21 Counsel, I will just note that this
22 testimony is directly relevant to topic 4 which you
23 had an obligation to prepare your client on. So any
24 answers like "I'm guessing," are just simply not
25 adequate under topic 4. I mean, certainly, this is

1 general advertising. Advertise -- advertisements
2 includes sources, as Facebook is directly referenced
3 in topic 4. It doesn't appear that he has been
4 prepped at all on the topics or that he even knew he
5 would be a corporate representative on the topics.

6 MS. VAUGHN: We did prepare for this.
7 We cannot give him memories he does not have
8 anymore. And I don't believe he is testifying to
9 anything other than he does not remember this.

10 MS. SANTEN: Okay. Well, we -- it's our
11 contention that the "I don't know" responses mean
12 that he is not adequately prepared on topic number
13 4.

14 MS. VAUGHN: I'm happy to talk to you
15 about this off the record, but he is -- it was a
16 sole proprietorship. He is testifying to what he
17 knows. There is no one -- there's no records other
18 than what we have.

19 MS. SANTEN: You have an obligation,
20 under the rules, to prepare him on topic 4 which
21 would include if he said to you, "my son set this
22 up," having him talk with his son to verify the
23 accuracy of this information.

24 MS. VAUGHN: Can we go of the record?

25 THE VIDEOGRAPHER: The time on camera is

1 approximately 1:26 and we are off the record.

2 (Off-Record Discussion)

3 THE VIDEOGRAPHER: The time on camera is
4 approximately 1:27 p.m. We are back on the record.

5 Counsel, you may proceed.

6 BY MS. SANTEN:

7 Q. Okay. Mr. Parker, did you ever call
8 your son to discuss this website or verify any of
9 this information?

10 A. My son and I, since the divorce, have
11 not talked too much.

12 Q. Okay. But you didn't try to call him,
13 in connection with this advertisement, to verify
14 this. Is that right?

15 A. I can't. There is a -- there is a
16 stay-away. I can't if I wanted to.

17 Q. Is there a restraining order between you
18 and your son?

19 A. Yes.

20 Q. Okay. Where was that filed?

21 A. I believe in Baldwin, Baldwin County.

22 Q. Is that different than any restraining
23 order between you and your ex-wife?

24 A. That is the one with my ex-wife.

25 Q. It covers your son as well?

1 A. It does.

2 Q. Okay. Let's go down. So did you draft
3 any of these posts or were these all your son
4 putting this on the website?

5 So "New truckloads of LB white brooders
6 and oval 80 heaters" posting.

7 The next posting: "For the best parts
8 and installation, and service. 'Parker's Poultry'
9 quality is backed with 30+ years of experience in
10 the poultry industry." Did you draft any of those
11 postings?

12 A. I really don't think I did, but I don't
13 know. I really don't know.

14 Q. If you didn't draft them, would your son
15 have drafted them on your behalf?

16 A. He -- I think -- I think he -- I know he
17 had access to it. But as far as my knowledge, I
18 don't know who drafted them, though.

19 Q. Who else had access to the website other
20 than your son?

21 A. My ex -- my ex-wife, I think she had
22 access to it. I'm not for sure. I really don't
23 know who all did. But I know he did and I did,
24 because he told me about it after he created it.

25 And I know that some of it I did not do,

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1 because I never carried some of it, that I know of.

2 Q. Was your son, or whoever posted this,
3 posting this on behalf of your business?

4 A. I'm assuming so, yeah. It's on this.

5 Q. Were they authorized to post this on
6 behalf of your business?

7 A. He started it. I mean, he is the one
8 that created it.

9 Q. Did you authorize him to post this on
10 behalf of your business?

11 A. I don't -- not that I know of. I didn't
12 tell him to go do it, no.

13 Q. Okay. But he posted this on Parker's
14 Poultry and Equipment webpage, which is your
15 business. Right?

16 A. Yes, apparently.

17 Q. Okay. Did you ever ask him not to post
18 anything on your website for Parker's Poultry
19 Equipment?

20 A. I never looked at it. Some of this
21 stuff is the first time I think I have seen this.

22 Q. Is there anything on here that you do
23 not believe is accurate?

24 MS. VAUGHN: Counsel, you have multiple
25 websites in this document. Which website are you

1 talking about?

2 MS. SANTEN: I'm starting with the
3 Facebook one.

4 THE WITNESS: That's what I'm saying,
5 I'm trying to figure out even what this is. This
6 one, Big Dutchman, it's not Parker's Poultry.

7 BY MS. SANTEN:

8 Q. 706-819-2260, is that your phone number?

9 A. Yeah. Yeah. That was a number I had at
10 the time, yeah.

11 Q. Okay. And parker'spoultryequipment.com,
12 was that an email or a website that you used?

13 A. Yeah. I think it's the one he set up,
14 yeah.

15 Q. Let's go to Perdue 007125. Do you
16 recognize this document?

17 A. 215.

18 Q. 7215.

19 A. Looking for 7215. Yeah, this is, I
20 think, in reference to Robert, but yeah.

21 Q. 706-468-2676, was that a phone number
22 you used?

23 A. It was one of the numbers we had, yeah.

24 Q. Okay. So that was connected to Parker's
25 Poultry and Equipment business?

1 A. Yes, I think so. I don't know. It's
2 connected to this website, though.

3 Q. But that is a number that you used for
4 your business. Right?

5 A. One of the numbers that I used, yes.

6 Q. Okay. How many different phone numbers
7 did you use for your business?

8 A. I -- I don't -- I really don't -- can't
9 remember. I know I had two or three phone numbers.

10 Q. Okay. This says that your business
11 employs a staff of approximately four. Is that
12 correct?

13 A. This is in reference to someone else,
14 but yes.

15 Q. Who is that in reference to?

16 A. Robert. He did the installs.

17 Q. Are saying that Robert owned the
18 business, or is this discussing your business?

19 A. No. Robert had been in the business for
20 thirty years.

21 Q. Okay. So are you saying Robert employed
22 a staff of four or did you employ a staff four?

23 A. He had a crew that worked for him.

24 Q. So you employed Robert. And then how
25 many people did Robert employ?

1 A. I don't really know how many Robert
2 employed.

3 Q. Did you tell him he could hire -- how
4 did it work? You employed Robert and then --

5 A. Well, on a 1099 he can hire as many as
6 he wants.

7 Q. What would you ask Robert to do? What
8 jobs would Robert be performing?

9 A. All the installs.

10 Q. So then it was up to Robert to hire
11 people, if he wanted to, to help with the installs?

12 A. He did the installs.

13 Q. Okay. And he hired -- it sounds like he
14 hired some people. Is that right?

15 A. I'm assuming, yeah. That's -- or if
16 it's -- according to how big it was. According to
17 what he had to do, I guess.

18 Q. Do you believe Robert put this website
19 together?

20 A. No, I wouldn't think Robert did.

21 Q. Who did you think put this website
22 together?

23 A. My son built the website.

24 Q. Okay. This one looks to be different
25 than the one we just discussed. It says monte or

1 mante, I can't tell, on top.

2 A. Monte.

3 Q. Do you believe your son put this
4 together?

5 A. No, I don't think he did this. I
6 wouldn't think he would have.

7 Q. I'm looking at --

8 A. It looks like somebody copied my
9 website, though.

10 Q. I'm looking at Perdue 007215 at the
11 bottom.

12 A. Okay. 215?

13 Q. 7215.

14 MS. VAUGHN: It's towards the back.

15 THE WITNESS: It's on the back?

16 Okay. Now I'm at the right one.

17 BY MS. SANTEN:

18 Q. Do you know who put together this
19 website?

20 A. I have no clue. Manta, that is another
21 company. It's not my company.

22 Q. Okay. This says that this company -- it
23 says: "Current estimates show this company has an
24 annual revenue of 330,000." Do you know where that
25 number came from?

1 A. It wasn't from me.

2 Q. It says: "Records show it was
3 established in 2010." Was Parker's Poultry
4 Equipment established in 2010?

5 A. No. It was established earlier than
6 that, I believe.

7 Q. When do you believe it was established?

8 A. Well, about 2006, it will be -- I
9 think -- I think it was 2009. It could have been
10 2010.

11 Q. Okay. And you mentioned you engaged in
12 no other advertising efforts on behalf of your
13 business. Is that right?

14 A. Yeah, no. I didn't do these, so no.

15 Q. Okay. You mentioned that Perdue
16 suggested that you help with these installs. How
17 did that conversation come about? Who did you
18 discuss that with?

19 A. I can't remember who was over the
20 building at the time, but they come inspected mine
21 and asked would I do others.

22 Q. Okay. And what, exactly, did they
23 inspect when they asked you if you did others?

24 A. The upgrade that I did for my farm,
25 because I had just purchased it and then they

1 immediately had upgrades. So I had to do my own. I
2 could not afford anything else.

3 Q. When you say you immediately had to do
4 upgrades, was that to get tier 4 compensation?

5 A. Yeah. To get more -- try to get a
6 better income, yes. That's the only way to do it,
7 is invest, because there is no -- no increase.

8 Q. Okay. But you made the decision to
9 upgrade to try to get better income. Is that
10 accurate?

11 A. That would be.

12 Q. Okay. And when you did these upgrades,
13 you would take out loans from First Financial Bank
14 that we looked at the documents for. Is that right?

15 A. No. Well, no, not every time. You
16 know, I would -- but most of the time.

17 Q. Okay. Were there some upgrades that you
18 paid for out of pocket?

19 A. Yes. The smaller things I did, yes.

20 Q. Okay. So how did you get business for
21 Parker's Poultry and Equipment then? Did you get
22 referrals from Perdue?

23 A. Well, yes. I was on their list of
24 installers.

25 Q. Okay. What list are you talking about?

1 A. They made -- they have a list of who
2 is -- who can do it and who can't.

3 Q. Who would the list go to?

4 A. What do you mean, "go to"?

5 MS. VAUGHN: Object to form.

6 BY MS. SANTEN:

7 Q. Who would they send that list to? All
8 growers or growers in Perry?

9 MS. VAUGHN: Object to form.

10 THE WITNESS: As far as I know, it's
11 stapled on every house at the chicken farm.

12 BY MS. SANTEN:

13 Q. Okay. And when you say, "every house,"
14 what geographic region for houses would it be
15 stapled on?

16 MS. VAUGHN: Object to form.

17 THE WITNESS: I have no -- I have no
18 clue where Perdue puts it.

19 BY MS. SANTEN:

20 Q. Okay. Well, you said it was stapled on
21 every house.

22 A. Yeah.

23 Q. Do you believe it was on every house in
24 Georgia or on every house beyond Georgia?

25 A. I can't really answer because I don't

1 know how far out they reached with that information.

2 Q. Okay. And Perdue -- you were allowed to
3 have this outside business. Right?

4 A. Outside business?

5 Q. This Parker's Poultry and Equipment,
6 that was okay with Perdue for you to do?

7 A. Yeah. As far as I know, yeah.

8 Q. Okay. And they --

9 A. For a while.

10 Q. And was there ever a time when they told
11 you you could not do it?

12 A. Yes.

13 Q. When was that?

14 A. It's after I had -- I believe it was
15 right after I had contacted the USDA. They -- I had
16 a bid come in wanting me to bid a new poultry farm.
17 And I was contacted by Perdue and asked not to bid
18 that, even though the owner of the farm asked me to
19 bid it.

20 Q. I'm asking you about doing equipment and
21 installs with Parker's Poultry and Equipment.

22 A. That's what I'm answering.

23 Q. Okay. Who told you that you could not
24 bid the farm?

25 A. If I remember correctly, it was Dan

1 Q. Before this -- before July of 2017 is it
2 your testimony that Perdue prevented you from doing
3 upgrades or other equipment for other growers?

4 A. New houses are other equipment.

5 Q. I'm saying before July 2017. This is
6 dated July 2017. Is it your testimony that Perdue
7 prevented you from doing work for other growers?

8 A. I have already said yes.

9 Q. Okay. Let me show you one other
10 document and then we will go on. Is it your
11 testimony that you didn't get any business because
12 of what Perdue was -- because of Perdue preventing
13 you from --

14 A. Any business?

15 MS. VAUGHN: Object to form.

16 BY MS. SANTEN:

17 Q. Yes.

18 A. I didn't say I didn't have any business,
19 that I know. I don't -- okay. No.

20 Q. Do you know how many of these sheets you
21 were listed on as a preferred vendor?

22 A. No.

23 Q. Okay. Let me show you Exhibit 12 and
24 see if you recognize this.

25 (Defendant's Exhibit No. 12, Perdue Farms, Inc.

1 Q. Do you know how many installs you did
2 per year with Parker's Poultry and Equipment?

3 A. No, ma'am.

4 Q. Do you know how many years you did
5 installs with Parker's Poultry and Equipment?

6 A. Through -- most of them was through
7 Perdue. And that went up until they -- up until my
8 call to USDA, I would say was when they really
9 started stopping.

10 Q. You testified earlier that they started
11 not recommending you in July of 2017. Is that your
12 testimony?

13 MS. VAUGHN: Objection to form.
14 Misrepresents the testimony.

15 BY MS. SANTEN:

16 Q. You indicated, when we looked at Exhibit
17 12, that they had stopped referring you for jobs.
18 Is that right?

19 A. This job.

20 Q. Okay. When did they stop -- so you
21 agree -- do you testify that in July of 2017 they
22 had stopped recommending you for jobs?

23 A. Yeah. I don't know when they actually
24 stopped. I just know they did.

25 Q. But you believe it was around the time

1 Milledgeville, which was what, 2000 --

2 A. Yeah. I mean, while I was at
3 Milledgeville. I don't know what year. I just
4 can't remember what year that all that -- about the
5 trailers and things came up and things started going
6 south.

7 Q. I believe you testified before you
8 started with Milledgeville in 2014. Does that sound
9 accurate?

10 A. No. I would have to go back and look at
11 my records. I was thinking '9, but I may be wrong.
12 I will have to -- I will have to look and see the
13 years because I'm not good with years.

14 But there again, you have got me
15 wondering now which year it was. But I thought I
16 said '9. Maybe I'm wrong.

17 Q. So how long after you got to
18 Milledgeville did you say your business died?

19 A. When I started reporting the trailers
20 and stuff is when it really went south. I would say
21 I was there at least, you know, a couple years,
22 probably whenever -- just say '10 or '11, '12. You
23 know, there again, I don't know when the -- a lot of
24 these things transpired. I didn't keep up with and
25 nor do I have a way to go back and get.

1 We were, I'm trying to remember, doing the upgrades.
2 I normally would put in like a fifty, sixty-hour
3 week in most of the weeks.

4 Q. Well, let's talk about January. So
5 January 2016, on a Monday what would you be doing?

6 A. I have no clue. You know I don't know.

7 Q. Well, you gave me fifty to sixty hours a
8 week, so I'm trying to -- (cross-talking).

9 A. I'm just guessing. Yeah, I mean, I
10 would do fifty to sixty hours a week through the
11 growing of the entire -- you know, that's normal for
12 most growers.

13 Q. Well, let's talk about how you get
14 there. So on a Monday what would your typical
15 schedule be --

16 A. Oh. You mean daily?

17 Q. -- in January of 2016?

18 A. Well, I'm just looking back a daily
19 thing, no matter -- I don't know that date, but we
20 would get up and we would go to the chicken house,
21 that would be our first thing, to do a check on the
22 houses. And after we got through checking them all
23 we would go back and walk them. That's -- each
24 house is 500-foot long. You have to walk them four
25 times, four -- four runaways in each house to pick

1 bit every day on doing this stuff.

2 Q. And for what purpose would you mow
3 acres?

4 A. Huh?

5 Q. For what purpose would you mow acres?

6 A. Because the chicken houses are 500-foot
7 long you have got to mow in between them; you have
8 to mow the outsides, both sides. And then you have
9 got to mow next to the stack house. I mean, the
10 entire property, literally. There is a certain
11 section you can bush hog, but the rest of it we
12 mowed weekly.

13 Q. And did you mow it so that the chickens
14 would do better? Or what was the purpose of mowing?

15 A. Perdue, mandatory, made us mow and keep
16 our yards up. If we didn't, we got wrote up.

17 Q. And how did that help the chickens?

18 MS. VAUGHN: Objection to form.

19 THE WITNESS: I don't know that it did.

20 BY MS. SANTEN:

21 Q. Okay. So when would you wake up on a
22 Monday in 2016? When would you start?

23 A. Usually around 7 we would go out.

24 Q. And then what time would you eat lunch?

25 A. Usually about, just guessing, maybe 1.

1 week. And I don't know about Monday on that day and
2 that time. I mean, I'm just saying it's according
3 to what all the field man left us that had to be
4 done because, I mean, everything we did had to fall
5 under their guidelines. We didn't do anything --

6 Q. Well, you said you worked fifty, sixty
7 hours a week, so I'm trying to figure out how you're
8 able to say that.

9 A. Yeah.

10 Q. So when would you work on a Tuesday?

11 A. Well, it was seven days a week.

12 Q. Would you work from 6 a.m. to 8 p.m. --

13 A. Even eight days is fifty-six, so let me
14 figure.

15 Q. Well, let's go through each day. I'm
16 asking, would you take time off for dinner on a
17 Monday?

18 A. Sometimes I would eat, sometimes I
19 wouldn't eat. I didn't have a -- it's according to
20 what all I had to get done.

21 Q. Do you have any records of the hours you
22 would work?

23 A. No, ma'am.

24 Q. Okay. And the maintenance work, you
25 said some of that was yardwork. Others was

1 Let's start at the beginning.

2 A. It would be similar to Monday.

3 Q. Okay. When would you wake up and when
4 would you start?

5 A. Same time.

6 Q. All right. What would you do?

7 A. Same. I would go to the chicken houses.
8 It's redundant. I mean --

9 Q. Well, talk me through it.

10 A. It's every day, the same thing.

11 Q. So you would go to the chicken houses.
12 What would you do?

13 A. Whatever the field man had laid out for
14 us to do.

15 Q. Which would include things like what?

16 A. Picking up the birds, whatever they --
17 you know, when they came they would give us -- they
18 were over everything we did. I mean, there was
19 nothing we did --

20 Q. I'm asking what you did. What you did,
21 was it all related to walking the chicken houses,
22 checking on the chickens?

23 A. No. It's all related to what Perdue
24 wants done.

25 Q. I'm asking, was it related to the

1 chicken houses? Were you walking the chicken houses
2 and performing maintenance work regarding the
3 chicken houses when you were walking them?

4 A. Not when I was walking them, no.

5 Q. What were you doing when you were
6 walking the chicken houses?

7 A. Picking up dead chickens.

8 Q. Okay. So you would walk them. On a
9 Tuesday would you walk them four times?

10 A. You walk them every day.

11 Q. Okay. And then what would you do after
12 you would walk the chicken houses on a Tuesday?

13 A. You would go back and look at -- you
14 look at your list every day and see what they have
15 left you. Sometimes they would come during the
16 night, when you're not there, and leave another
17 list.

18 Q. But what sorts of things would you do on
19 a Tuesday after you would walk the chicken houses?

20 A. Okay. You had -- you had ten 52-inch
21 fans you had to keep running. You had side fans
22 that had to run. You had vent machines that opened
23 on the side of the house that were 500-foot long,
24 you had to keep cabling on those and ropes going to
25 them that wore out.

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1 You have overhead cables that held the
2 feed lines that broke. You're continually having to
3 replace those that break.

4 You have ziggity -- you have nipples
5 that -- because my houses had age on them, the
6 drinkers had to -- I had to put new ones in if one
7 is leaking somehow.

8 Q. So is this maintenance -- maintenance
9 work on the chicken houses?

10 A. Yes. That's what we are talking about,
11 yeah. And then --

12 Q. And then would you take lunch?

13 A. And then -- I mean, we are way -- a long
14 way from all we had to do in the chicken house,
15 though. I mean, you had overhead belts, they
16 control the vent machines, that break.

17 You have got the curtains that hold the
18 vent machines up that come loose.

19 You have got the doors that hold the
20 cool cells. You have got those that the ropes would
21 break on those.

22 Cool cells, themselves, had to be taken
23 out and cleaned. And we are talking 80-foot-long
24 cool cells on both sides had to be totally taken
25 out, washed down and put back in.

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1 I'm trying to think of what else we were
2 doing. Oh. The control rooms had to be cleaned on
3 a daily basis. The field --

4 Q. Was that maintenance work regarding the
5 chicken houses?

6 A. Yes. The field man would make you do
7 that.

8 You had to climb the feed bins every day
9 to make sure that you had adequate feed for those
10 houses. There again --

11 Q. Is it your testimony that you would get
12 a list every single day of what you had to do on the
13 chicken houses?

14 A. We would get one to two a week that
15 would pretty much cover everything we had to do or
16 could do, even.

17 Q. What would that list look like?

18 A. I don't know. Perdue would make the
19 list and it would be left.

20 Q. What would the list -- what would the
21 name of the list say?

22 A. I don't -- I don't remember what they
23 put on it, honestly.

24 Q. And what, exactly, would it have on it?

25 A. It would just have stuff that we were

1 supposed to do.

2 Q. Would it cover what you were supposed
3 to -- would it give you a specific amount to do each
4 day?

5 A. Do what now?

6 Q. Would it give you specific items that
7 you had to do throughout the entire day?

8 A. A breakdown of items per day, no, I
9 don't think it said that.

10 But you had to do it yourself. You
11 know, you had to, you know, to be able to accomplish
12 it before they come back. You had to -- you had to
13 do a daily regimen of it.

14 Q. Did Perdue give you a schedule?

15 A. A what now?

16 Q. Did Perdue give you a schedule --
17 (cross-talking).

18 A. That was the schedule. That was the
19 schedule other than, you know, what they already
20 have on the contract that you had to do, which was a
21 daily -- you know, part of the daily regimen.

22 Q. But they didn't give you a specific
23 schedule of hours you had to work each day.
24 Correct?

25 MS. VAUGHN: Objection to form.

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1 THE WITNESS: Now, they -- they didn't
2 say: Come in at 8 and leave at 8. They didn't say
3 that, but you had to.

4 BY MS. SANTEN:

5 Q. Okay. So on a Tuesday what would you do
6 in the afternoon?

7 A. Well, like I said, I tried to finish
8 what I -- maintenance that I had to do or whatever
9 needed done.

10 Sometimes you had -- you would have
11 times where there was chickens that were sick. And
12 I have had that quite a few times. They quit giving
13 them any antibiotics and all of a sudden we are --
14 you know, we are having sick chickens a lot and we
15 had a lot of dead. And they make us cull -- those
16 that are not dead, basically you had to pull their
17 heads off. And that was their right way of doing
18 it, they said. The only way we could do it was
19 their way.

20 And you had to -- you know, to cull them
21 that way. And that was the hardest part because
22 they were alive.

23 But then you -- if they were ever out of
24 feed and they brought feed back for any amount of
25 time -- one day I was out feed two days, and when

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1 they come back they claw each other's back trying to
2 get to the feed, and then you have got real diseases
3 in there. And you're picking up thousands. I'm
4 talking bucket loads. Because there's 30,000 you
5 would -- well, later went to 24, 25,000, but we
6 started with 30,000 to the house.

7 And you're picking up, you know,
8 thousands a day and you can't -- it's hard to keep
9 up with, as far as what you do like here and here
10 and here on a daily basis, because the chickens
11 declare what you have to do, versus -- and Perdue
12 declares, because they tell you, you can't just
13 leave the dead on the floor. You know, you have got
14 to do what they say.

15 Q. But your job was looking after the
16 chickens. Right?

17 A. Yeah, that's one of them.

18 Q. What was another job?

19 A. All the maintenance.

20 Q. But that was regarding the chicken
21 houses too. Right?

22 A. Yeah, yeah. Yeah. But I mean, as far
23 as looking at the chickens versus -- and growing
24 them versus the maintenance, it's like -- I guess
25 it's the same but it's a little bit different.

1 your schedule?

2 A. Well, there -- you had to clean out
3 within two days. It was mandatory. Perdue gave you
4 a regimen of what you had to do when you didn't have
5 chickens then.

6 Q. So you had to clean out the chicken
7 houses?

8 A. Yeah. You had to get all the cake and
9 wet places where they had pooped and used the
10 bathroom in every day and wet the floors.

11 And sometimes their nipples drip and wet
12 the floor.

13 You had to get all the wet cake out of
14 there and put it -- you had a machine that -- you
15 had to buy a machine that did that. And you had to
16 put it in a stack house, which I had to have one
17 built while I was there because that farm didn't
18 have one.

19 Q. And that was to prepare the house for
20 the next flock. Right?

21 A. Yes, ma'am.

22 Q. Okay. And how long would those days
23 last?

24 A. Normally, if you just got a week between
25 growouts you really didn't have a day off. But if

1 they go up to two weeks and three weeks, you know,
2 you could take, you know, a couple of days off.

3 Q. How long would you work each day
4 during -- doing this cleanout work to get ready for
5 the next flock?

6 A. I would work pretty much a normal day if
7 we had a week to a week and a half. Usually seven
8 to fourteen days you have got to work every day.

9 Q. And what hours were you working during
10 these cleanout days?

11 A. Usually, you know, like an 8 to 8. In
12 the summertime I worked more at night than day
13 because it was cooler. I had to change my times up.
14 But usually it would take, you know, a good ten
15 hour -- ten hours. Because you have these pans that
16 go under every drop, you had to wash those and dry
17 those, getting ready for the next batch.

18 Q. And you said Perdue gave you a list of
19 things to do. Where was that list?

20 A. Well, some of the list was in the
21 contract, the original contract. Some of the lists
22 would be on a weekly basis where they would give you
23 things.

24 Q. And how would they give that to you?

25 A. Well, they would leave it on House 1,

1 usually on the clipboard.

2 Q. What sorts of things would be on the
3 list?

4 A. Well, just -- like if he saw a feed line
5 out or if he saw a water line out.

6 I remember once they had had a bunch of
7 chunks of concrete coming from the feed mill, and we
8 had seventeen feed breaks. And to pull that line
9 took about three hours, and weld it and put it back
10 together, sometimes more because it's 250 foot long.

11 Q. So if you had worked to fix the chicken
12 houses.

13 A. Yeah. It's whatever. It's just
14 whatever he found wrong and wanted fixed. And some
15 of it I would know about, some of it I wouldn't know
16 about.

17 Q. So but those two weeks in between
18 flocks, you would get two weeks and then you would
19 get a new flock, would you ever get any time in
20 between that?

21 A. No, ma'am.

22 Q. Okay. And you had two farms at one
23 point, so how did you determine -- you didn't
24 mention during here what farm you were doing what
25 on. How did you determine who would work on which

1 A. Yes, ma'am.

2 Q. Okay. And your wife was doing the same
3 kind of work, caring for your house, homemaker?

4 A. Yeah. She would normally help me pick
5 the birds up in the morning. And sometimes she
6 would go back and -- like if I was in the middle of
7 something she would check them, you know, during the
8 other two checks, just sticking her head in the door
9 type thing. And that's -- that's what -- I mean,
10 that's what she did. She didn't do the maintenance.

11 Q. But you testified before the break that
12 you did most of the work pertaining to the chickens.
13 Right?

14 A. Well, as far as the maintenance, yes.

15 Q. Okay. And we discussed the different
16 types of maintenance you were doing before the break
17 as well?

18 A. Yes, ma'am.

19 Q. Okay. Is there any other types of
20 maintenance work you were doing for the chickens
21 that we haven't discussed?

22 A. Yeah. I didn't make -- I didn't make it
23 all the way through.

24 On the outside of the chicken houses
25 sometimes the, like, screws in the roof, I would

1 have to, you know, get up on the roof. And the
2 nails would come out and stuff, the tin would be
3 loose, I have done that.

4 Q. And was that so water wouldn't get in to
5 the chickens?

6 A. Yes, ma'am.

7 Overhead, in the inside, there is a
8 piece of plastic that runs from end to end of the
9 chicken house, and these staples in that would get
10 loose. They have got straps and staples in the
11 straps, and I have had to go in and hold those back
12 up because the roof starts coming down.

13 Q. So that's to prevent the roof from
14 coming down on the chickens?

15 A. Yes, ma'am. The corrosiveness of a
16 chicken house -- it's very corrosive, and so we
17 are -- we are -- it's mandatory for any of these
18 things. You know, we have to keep it up to
19 whatever -- no matter what the equipment is, you
20 know, it's got to be kept up to produce specs.

21 Q. And is that so that the chickens aren't
22 exposed to rust? Or what's the --

23 A. No. So the equipment will work itself
24 to whatever capacity, whether it be a vent machine,
25 tunnel machine -- vent machine, tunnel machine. I

1 mean, and you have got a computer that controls
2 everything inside the chicken house.

3 Q. So the vent machine vents into the
4 chicken house. Right?

5 A. Yeah. It opens up vents approximately
6 two -- a little over two foot wide, six inches tall.
7 It leans them in, let's them have air and then
8 closes back automatically.

9 Q. And the tunnel, is that into the chicken
10 house also?

11 A. It is. The tunnel is the very end of
12 the house. Ours was 5 foot tall, 80 foot long each
13 side and had tunnel doors. And then right next to
14 that you have some curtains.

15 Q. So what other maintenance work would you
16 be doing during the day that we haven't already
17 talked about?

18 A. Let's see. I think I have covered it.
19 I don't know if I covered water lines, feed lines.
20 I think I said those. Vent machines, tunnel
21 machines. I know I'm missing stuff, without a
22 doubt. Yardwork. Well, you said inside, though.

23 Q. Inside or outside maintenance.

24 A. Yeah. Yardwork. You know, feed bins.
25 And sometimes you would get a hole in a feed bin and

1 you would have to patch the hole. I have had to put
2 whole new feed bins in before. And I have done that
3 myself.

4 Q. When you say "yardwork," is that what
5 you were talking about earlier?

6 A. Mowing, weed eating, yeah.

7 Just everything in the chicken -- I
8 mean, even the slide doors up front, I have had to
9 rebuild those before so they would open. They would
10 come off track. They would get rusted up.

11 Q. So a lot of maintenance work related to
12 upkeep of the chicken houses?

13 A. Yeah. The house, 40 by 500 foot times
14 6, you know, that's -- it's just a lot of work.

15 Q. Now, during a catch week what would you
16 all be doing?

17 A. Well, you had to -- well, it was
18 according to what Perdue required. Sometimes you --
19 they had a -- they had a system set and then they
20 controlled it. Sometimes you could crust, which is
21 taking out the litter, and sometimes you had to
22 windrow. W-I-N-D-R-O-W.

23 Windrow means that you go down and take
24 the chicken litter and pile it up in a pile, and
25 come back the other side and make one big pile of

1 don't know. I'm saying they all have equal eating
2 and drinking space, I would say. That's the only
3 thing I can think of.

4 Q. So during catch week you don't have
5 chickens, but you're doing a lot of things for
6 maintenance on the chicken houses to make the houses
7 more be efficient for when the chickens are
8 delivered. Is that right?

9 MS. VAUGHN: Objection to form.

10 THE WITNESS: Not necessarily more
11 efficient. It's just -- it's just what they have
12 you do. But until the birds come you have got to
13 put out what they call PLT, Poultry Litter
14 Treatment, which is supposed to knock down ammonia
15 in the house for three days.

16 BY MS. SANTEN:

17 Q. What we were talking about during catch
18 week, a lot of that stuff, though, was cleaning wash
19 pans for the chickens --

20 A. Yeah.

21 Q. -- feed lines for the chickens, boxes
22 for feed, dealing with heat and moisture issues for
23 the chickens, that sort of thing. Right?

24 A. Yes, ma'am.

25 Q. And how many hours a day were you

1 working during catch week?

2 A. Oh. In catch week? That's a whole
3 different story. Well, I worked two days in a row
4 solid because it took them two days to catch my six
5 houses. I would start that morning preparing.
6 There again, when I say they -- Perdue controls
7 every facet of that. They give you when you start
8 the catch time and when you have got to raise your
9 feed time, when you're supposed to cut off your feed
10 time. And you have got to have that done before the
11 first trailer gets there for them to start loading.
12 It usually started around 3:00 because the birds eat
13 out the feed when you cut them -- when you cut the
14 feed off, the bird then eats out the feed that's in
15 the pan so you're not raising feed up in the air.
16 And you then have to clear -- clear out what's in
17 the tubes and in the lines by cutting off the feed
18 bin, the big feed bin outside so you can run all
19 that feed out and give them a chance to eat that
20 before you raise it up.

21 And then you want to raise your -- they
22 have raised feed, which you raise your feed about
23 knee high. That's the raise feed time. But you
24 couldn't raise it all the way to the ceiling,
25 because if you raise it higher than knee high your

1 chickens will no longer drink water. They just lay
2 down.

3 So you leave your water lines down and
4 your feed lines knee high. And then you -- then
5 they have -- you see the whites of the eyes of the
6 catcher's coming, that's when you put your feed
7 lines in the ceiling. You cut your waters off and
8 give them a little while -- chickens a little while
9 to drink the waters, and then you put your water
10 lines in the ceiling.

11 And then you have to pick up all those
12 divider walls that you have put down between the
13 birds to keep them separated. You have to pick
14 those up.

15 And then the catchers, you open a door
16 and the catchers come in and they start catching.
17 And after that starts, around 3:00, you know, they
18 will catch three houses, usually three and a half
19 the first night. And then they finish that -- they
20 finish up usually about 7, 8:00. You might get an
21 hour or two sleep, but then the next catch time
22 starts, raise feed time starts and all that for the
23 next day.

24 Q. So real fast, you mentioned so you will
25 start at 3 a.m. And Perdue gives you a list of what

1 So I mean, I hope that helped. I don't --

2 Q. Yeah. So they give a specific raise
3 feed time and they give you a specific catch time.

4 A. Yeah. And a cut time.

5 Q. And a cut time.

6 A. Time to cut it off.

7 Q. And is a flock supervisor or advisor
8 there with you the entire time during catch days?

9 A. I have had them there the entire time,
10 and I have had them where I didn't see them. I have
11 had them both ways.

12 Q. Were they there more often than not, or
13 was it about half and half when they were there
14 versus not there?

15 MS. VAUGHN: Objection to form.

16 THE WITNESS: I don't really remember.
17 I'm just guessing 50/50. I didn't pay attention.

18 BY MS. SANTEN:

19 Q. So how long would, kind of, the catch --
20 how many days would the catch process last?

21 A. Two solid days.

22 Q. Okay. And then what would happen after
23 that?

24 A. Well, you mandatory had two days, by
25 their rules, to get your houses caked after your

1 Q. And you had someone running
2 Milledgeville for you full-time when you were in
3 Hillsboro. Right?

4 A. Yeah, but I was on one or the other.

5 Q. If you wanted to hire someone to run
6 both of them, you could do that, couldn't you?

7 MS. VAUGHN: Objection to form,
8 misstates --

9 THE WITNESS: You couldn't.

10 BY MS. SANTEN:

11 Q. Who told you, you couldn't do that?

12 A. You just couldn't. I mean, you couldn't
13 trust -- I wouldn't trust leaving somebody that --
14 it takes a long time to understand Perdue's rules of
15 regulation here and what you have got to do. You
16 would come back to a mess.

17 Q. I understand you didn't want to do that.

18 A. I couldn't.

19 Q. But did anyone with Perdue ever tell
20 you, you cannot hire someone to run the farm for
21 you?

22 A. They had to be approved by Perdue. Even
23 to the guys that just -- that run the farm, or just
24 even one guy that -- you know, that -- like any of
25 those guys had to sit before Perdue and be okayed,

1 just like I did, and to be able to operate the farm.

2 Q. But no one with Perdue ever told you
3 that you could not hire someone to run the farm for
4 you. Right?

5 A. No. They told me I could not hire
6 somebody they didn't approve to run the farm.

7 Q. Okay. But if they had approved them,
8 you could hire someone to run the farm for you.
9 Right?

10 A. If I could find someone, yes, that were
11 willing to do that type work --

12 Q. Understood.

13 A. -- for that amount of time.

14 Q. What was the approval process?

15 A. I guess they would meet with them. You
16 know, like they did with me, I'm assuming that's how
17 they did.

18 I know they talked with Brian. I know
19 they talked with David. I just can't remember, you
20 know, the extent of the conversation. But they did
21 meet them.

22 Q. How did you come to understand that
23 there was an approval process for people you hired?

24 A. Well, because they had people running --
25 you know, that was working on the farm. And Perdue

1 mean, I didn't really -- because I 1099'd them and
2 they did their thing, you know?

3 Q. Tell me how you were compensated as a
4 grower. How did that work?

5 A. I was compensated as a grower? A lot of
6 factors in the money you make, if that's what you're
7 asking.

8 Q. Yeah. So it was a tournament system, so
9 what factors impacted the money you made?

10 A. Oh, Lord. That controlled everything.
11 That controlled the baby birds that you got. I
12 mean, if you got baby birds -- just say you have got
13 a young flock of hens that are laying these eggs and
14 then an older flock that had been there and
15 seasoned, the older flock, those baby chickens would
16 produce a lot better than the younger flock so
17 they -- you know, even getting the birds you get
18 different -- in other words, even though it's
19 competition, you're at battle with each other, you
20 know, I guess. And it goes through -- all the way
21 through everything that's controlled inside the
22 house to -- there is -- there is no end.

23 Like I said, if I get more -- better
24 feed, you know, in one house than I do another farm,
25 that throws the competition off. But you're paid by

1 that -- you know, competition system.

2 Q. So are you paid by bird weight?

3 A. You're paid by bird weight. But you get
4 money taken away from you because of the
5 competition.

6 Q. So if you have more houses, you can make
7 more money. Right?

8 MS. VAUGHN: Objection to form.

9 THE WITNESS: Not necessarily.

10 BY MS. SANTEN:

11 Q. Would you agree that in Milledgeville
12 you had six houses and you viewed that as a way to
13 make more money?

14 A. I looked at that initially as a way to
15 make -- to do better, yeah, because I was -- I
16 was -- I knew I was going under in the other with
17 the -- the way everything was headed.

18 Q. And you could make upgrades? Like you
19 testified earlier, you upgraded one to tier 4 to
20 make more money. Right?

21 A. Yeah. That's the only way to get a
22 raise with Perdue. I mean, it's like, literally,
23 twelve years I grew that I never got a regular
24 raise.

25 Q. If you had upgrades to your house in a

1 A. I don't know. I don't know. I really
2 don't understand the tournament system at all.

3 Q. But you agree, if you have more houses
4 you can make more money. Right?

5 MS. VAUGHN: Objection to form,
6 misstates --

7 THE WITNESS: Not necessarily. The
8 amount of houses, if you can do good in more houses
9 you can -- you can make -- and I did better at
10 Hillsboro. You know, and up until things started
11 going south in Milledgeville, I was okay there.

12 BY MS. SANTEN:

13 Q. And why did you do better in Hillsboro?

14 A. I don't know. You don't control that.
15 I mean, really, that system is not controlled by the
16 grower. And other than him doing his daily thing.
17 And I did the same.

18 Q. So is it your testimony that you got the
19 same amount of money each week?

20 A. I didn't get paid by the week.

21 Q. Well, is it your testimony you got the
22 same amount each flock?

23 A. Each flock, no. I didn't get the same
24 amount each flock, no. It's according to the -- I
25 mean, you know, they -- if you don't -- if you don't

1 produce according -- according to their standards,
2 you don't -- you know, they take money away from you
3 and give it to this other guy over here.

4 Or if you do good then they will take
5 money from that other guy and give it to you.

6 Q. And what do you mean by "do good"?

7 A. Or if you do something -- if you do
8 something -- well, the thing is you don't control
9 "good." That's the problem.

10 Q. Well, you said you do good. What are
11 you referring to?

12 A. If you do good during the growout. And
13 I'm talking about at your settlement. If you do
14 good, you know, when you get your settlement.

15 Q. And what -- how -- what do you mean by
16 doing good with your settlement? You have --

17 A. You get more. In other words, if you --
18 if you rank high. In other words, if you could grow
19 a chicken that weighed five pounds and used zero
20 feed, then you would do real good. But you don't
21 control all that. They control all that. But
22 you're still pitted against each other.

23 Q. Okay. So is it your testimony that
24 Perdue controls everything that impacts your
25 compensation?

1 A. No, not everything. I mean, you have
2 got to do stuff yourself. But they control a lot of
3 it.

4 Q. Did you have the opportunity to upgrade
5 your houses from time to time to get more
6 compensation under various payment schedules?

7 A. You mean talking about tiers?

8 Q. Uh-huh. Yes.

9 A. They offered to everyone that wants to
10 put out, you know -- what, 30, 40,000, I don't know,
11 just according to whatever the growout -- going from
12 one to the other cost you. But when you weigh it
13 out, I mean, some farmers didn't do any. They
14 stayed tier 2. And because they knew that they had
15 put the money out, that it wasn't going to come back
16 to them.

17 Q. But that was an option you had, to make
18 upgrades as a way to potentially make more money?

19 A. Well -- well, according to them you're
20 supposed to make more money. But, in fact, I have
21 done the upgrades and made no more money.

22 But as far as this tier, the pay scale
23 raises per bird, per pound in each tier.

24 Q. So you can make more if you upgrade to a
25 different tier?

1 Q. Were the -- were your two farms or just
2 one ultimately foreclosed on by the bank?

3 A. It's my understanding, my youngest son
4 still has the other farm. But I bankrupt against --
5 had to bankrupt against both. Both farms was my
6 understanding, and I had to do it.

7 Q. Okay. And when you say you had to
8 bankrupt against both farms, what do you mean?

9 A. That's what the lawyer said.

10 Q. Okay. Why did you file for bankruptcy?

11 A. Because Perdue cut me off. I couldn't
12 grow any more birds.

13 Q. Do you believe that your properties were
14 foreclosed on because Perdue cut you off?

15 A. Yeah. I mean, if they would have
16 allowed me to keep growing I could have continued to
17 make payments.

18 Q. What have you done since you stopped
19 your relationship with Perdue?

20 A. Basically, I found that I had congestive
21 heart failure and I no longer -- basically, I just
22 get Social Security now. I'm 66.

23 Q. Do you recall ever seeing this document
24 that we have marked as Exhibit 20?

25 MS. VAUGHN: Counsel, it looks like it's

30(b)(6) Roger Dale Parker , Vol. II
Parker, Roger v. Perdue Foods, LLC

April 24, 2025

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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

ROGER PARKER, ON HIS OWN Case
BEHALF AND ON BEHALF OF ALL No. 5:22-cv-00268-TES
OTHERS SIMILARLY SITUATED,
 Plaintiff,
 vs.
PERDUE FOODS, LLC,
 Defendant.

VOLUME II

CONTINUATION OF VIDEORECORDED
30(b)(6) AND PERSONAL
DEPOSITION OF: PARKER'S POULTRY EQUIPMENT
 AND ROGER DALE PARKER,
 (Via Videoconference)
DATE: Thursday April 24, 2025
TIME: 9:04 a.m.
LOCATION: Ogletree Deakins Nash
 Smoak & Stewart
 300 North Main Street
 The Ogletree Building, Suite 500
 Greenville, South Carolina
TAKEN BY: Counsel for the Defendant
REPORTED BY: Elaine L. Grove-DeFreitas,
 Independent Professional Reporter
 (Via Videoconference)
VIDEOTAPED BY: Kevin Day
 (Via Videoconference)

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1 had someone else actually operating the farm at the
2 time.

3 Q. How many hours were you working on the
4 farm during that time?

5 A. I would come in and work in the evenings
6 usually and weekends. But I -- I was probably doing
7 maybe twenty -- twenty hours a week maybe during
8 that season.

9 Q. During the time you were a manager with
10 the quail company?

11 A. Yeah, during -- yeah, during that time.

12 Q. I saw in your interrogatories you had
13 referenced Roosevelt farm. What's Roosevelt farm?

14 A. That's a farm in -- I'm trying to think
15 of the name of the little town. They made Fried
16 Green Tomatoes there, the movie, but I can't
17 remember the name of it.

18 Anyway, Perdue had contacted me. The
19 lady that owned the farm, her and her husband, she
20 was -- worked for the government. And she was an
21 IRS person. And I was told by them that they
22 basically didn't want to mess with her and asked me,
23 would I consider taking over that farm for them
24 to -- for a while to get it to where -- I think,
25 basically, they was going to shut the farm down.

1 And they didn't want to shut it down and deal with
2 her, and so I took the farm for a short season. And
3 I think that was way early, though. I can't
4 remember the exact years we were there, but it was
5 when I had -- I didn't have both farms then, I don't
6 think.

7 Q. Okay. So you think you just had one
8 farm during that time?

9 A. Yeah, the Hillsboro.

10 Q. And how did you manage the Roosevelt
11 farm while you had the Hillsboro farm?

12 A. Someone ran the farm.

13 Q. Did you hire someone to run the
14 Roosevelt farm for you?

15 A. Yes, ma'am.

16 Q. Okay. How did you find that person?

17 A. If I remember right it was online, a
18 guy, that particular guy. And I can't remember,
19 they were from -- I know they were from Tennessee,
20 but I can't -- I do not remember their name.

21 Q. Were you getting the income from the
22 Roosevelt farm during that time? How did that work?

23 A. Yeah. It done good to break even, but
24 yeah. I kept it in -- I can't -- can't remember the
25 length of tenure that I had it, but it was long

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1 the -- I mean, some of the things that -- basically,
2 if I had had the feed lines I wouldn't have trouble
3 with the feed. And I basically asked to do feed
4 lines and I could not -- I mean, they -- they would
5 not help me, toward the end, at all.

6 They would rather -- it seemed like they
7 would rather see them suffer, and that's what they
8 did.

9 Q. Are you aware of any other growers who
10 were allowed -- who were treated differently than
11 you in terms of given more favorable treatment on
12 some of this stuff?

13 A. Oh, yeah. I had a -- I know people that
14 got water lines and got feed lines and -- yeah. I
15 mean, quite a few farmers, actually, you know, that
16 I had seen get the same things I was asking for.

17 Q. Well, on some of these items here that
18 you say they were using to push you out, are you
19 aware of any growers who had these items who didn't
20 have them listed on a Flock Visitation report?

21 A. Well, I don't know about other growers.
22 I mean, I don't know what they wrote down on
23 their --

24 Q. And you testified that as of this date,
25 which is July 2nd, 2019, you felt sure they were

1 trying to push you out. Is that right?

2 A. Without a doubt, yeah.

3 Q. And why -- why did you feel sure at that
4 time that they were trying to push you out?

5 A. Well, I had gone through a couple of
6 years at that time of, you know, no help.

7 I mean, when I started reporting the
8 trailers coming in, it seems like that started the
9 stuff.

10 And I was really just trying to help
11 them to realize that they were bringing basically
12 a -- they was coming into my farm with an empty
13 trailer, let's say trailer one, and they would stamp
14 a tare weight ticket and put it in my box. And they
15 would go weigh that truck -- when they left my farm
16 full of chickens and weighed the truck, the truck
17 number then was different on what I sold versus what
18 I was growing. And I knew we had issues.

19 Q. So you said this happened a few years --
20 this started happening a few years before 2019.
21 Right?

22 A. Yeah, it did.

23 Q. When did it -- when did this treatment
24 start happening that you felt was unfair?

25 A. I started noticing trailers around 2015,

1 '16, right in there.

2 Q. So do you believe they were starting to
3 push -- they were trying to start to push you out
4 around 2015 or 2016?

5 A. When I started -- no. I was genuinely
6 trying to help them find -- because the trailer
7 numbers weren't matching what I was getting.
8 Apparently it was -- they were -- we would grow big
9 birds and little birds. Apparently I was -- I was
10 getting somebody else's loads added to my pay scale
11 and I didn't -- I didn't know why. And I didn't
12 know it was that at the time. I just knew the
13 trailer number was different.

14 Q. Well, you said they --

15 A. But when I started reporting it -- when
16 I started reporting it to them that's -- that's
17 when, you know, I saw everything change.

18 I mean, I went from getting baby birds
19 from older hens to younger hens. I started getting,
20 it seemed like, lesser feed.

21 They weren't helping me at all when it
22 come to -- they give interest-free loans for people
23 to do their upgrades on feed lines and water lines.
24 And I needed feed lines and water lines, but they
25 were -- they would not help me.

1 They told me they would do that. They
2 said they would -- I bought water lines. But I had
3 asked for the pipe to buy the water lines to put in
4 city water so that after I paid for that I could
5 then get feed lines or water lines because they
6 didn't want two loans at a time on your -- I get
7 that. But after I paid it off then they turned
8 around and changed the story and wouldn't give me
9 feed lines even then or water lines.

10 Q. You said that things started to change
11 when you started reporting it to them. When did you
12 start reporting it to them?

13 A. I thought I said 2015 or '16.

14 Q. Okay. So that's when you believe the,
15 quote, different treatment started happening,
16 different treatment of you. Is that right?

17 A. Well, that's when I noticed it, yes.
18 And it started -- in my opinion, that was the start.
19 But it really -- after I contacted USDA it seemed to
20 elevate. And that's -- this guy, I believe this
21 particular person that did this report was -- was
22 looked at by growers as the hitman that shut farms
23 down.

24 Q. Okay. So you said that they wouldn't
25 give you feed lines or water lines. Is it your

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1 testimony, under oath, that you never got any feed
2 lines or water lines or assistance from Perdue with
3 the same?

4 MS. VAUGHN: Object to form, vague as to
5 time.

6 THE WITNESS: I didn't -- I didn't get
7 feed lines or water lines that I asked for, it if
8 that's what you're asking.

9 BY MS. SANTEN:

10 Q. Is it your testimony that they never
11 helped you with feed lines or water lines?

12 MS. VAUGHN: Object to form.

13 THE WITNESS: I didn't get new feed
14 lines and water lines. I don't know how else to
15 answer it.

16 BY MS. SANTEN:

17 Q. Were there times when they did give you
18 feed lines or water lines?

19 A. I don't remember the time when they did.
20 I mean, if they did I can't -- I do not remember
21 them helping me.

22 Now, they -- you know, feed trays that
23 go under the lines, yeah, they -- they would help
24 with those, but not necessarily the feed line that
25 goes through the chicken house.

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1 Q. Okay. When -- were there times when
2 Perdue visited the farm and noticed some issues and
3 after that point you would get letters? Would that
4 occur from time to time?

5 A. Yeah, towards the end, especially when
6 they shut me down.

7 Q. Okay. Let me hand you what we will mark
8 as Exhibit 22.

9 (Defendant's Exhibit No. 22, 4-14-17 Letter, 9-19-18
10 Letter, and 10-16-18 Letter, was marked)

11 BY MS. SANTEN:

12 Q. Do you recognize this document -- this
13 set of documents?

14 A. Yeah. Yeah, I think it's something that
15 I got.

16 Q. Were these examples of letters that you
17 received from Perdue noting different issues that
18 they found on the farm?

19 A. Yeah. Like I said, after -- it is. I
20 mean --

21 Q. Do you have any reason to believe you
22 didn't receive these letters?

23 A. Let me see. I don't -- let me look at
24 all of them.

25 Yeah. It was -- I felt it was a

1 starveout. You know, if they wait long enough they
2 know that -- that you have got to have these things,
3 especially with a system, and they -- if they don't
4 help you do it, then eventually you're going to --
5 and basically, instead of trying to help me like
6 they did other farmers, I got no help and wound up
7 in this issue.

8 Q. Are you aware of any other farmers who
9 had the kinds of issues that Perdue noted who were
10 not provided with letters like this?

11 A. I'm not -- I don't know about other
12 farmers, no.

13 I know other farmers got feed lines and
14 water lines.

15 Q. Okay. Which farmers got feed lines and
16 water lines?

17 A. Well, I mean, I don't know how many they
18 gave them to, but I knew they got feed lines and
19 water lines. I know -- I just -- I mean, I have
20 actually put them in for them.

21 Q. Okay. Is that the only instance you can
22 think of, of other farmers who were treated
23 differently?

24 A. Say that again now, to make sure I
25 understand.

1 Q. Okay. Who said -- who suggested to you
2 to use the name Parker's Poultry?

3 A. It was just agreed to in that meeting
4 that day.

5 Q. Which person with Perdue suggested that
6 you should use the word Parker's Poultry?

7 A. I can't remember which one it was.

8 Q. Okay. Let's go to the second agreement,
9 then, if you don't believe that one was in place.

10 This one is Perdue 002453 through 2459.
11 And it's dated May 18, 2007. Does this contain your
12 signature?

13 A. It does.

14 Q. Okay. Do you believe this is the first
15 agreement that governed the relationship between you
16 and your ex-wife and Perdue?

17 A. It's one of them. Like I said, they
18 continually changed it.

19 Q. I said the first agreement.

20 A. Oh. I don't know. I wouldn't think --
21 I think the first one should be the lesser of the
22 dates, but it's not.

23 Q. Okay. Well, what do you -- what do you
24 remember about them telling you -- when you first
25 sat down to sign an agreement with Perdue, what did

1 they tell you about how the relationship would work?

2 A. As in -- what do you mean
3 "relationship"?

4 Q. What did they explain to you about how
5 it would work? Did they explain you would be an
6 independent contractor?

7 A. No. They basically told me that they
8 would come out and show us everything to do; what to
9 do, how to do it. And we had to abide by the rules
10 that they had.

11 And whenever we were -- you know, we
12 would -- you know, if something happened, you know,
13 you get written up. And if you didn't comply,
14 basically, you got cut off. Of course that wasn't
15 my case, but --

16 Q. So it's your testimony that they told
17 you that at the very beginning of the relationship?

18 A. Yeah. That was -- that was -- I mean,
19 they were up front with telling us, you know, we had
20 everything -- you know, we had to follow the
21 guidelines and, you know, everything they said for
22 daily working the birds and everything, yeah.

23 Q. Okay. What else did they tell you when
24 you sat down and first discussed how things would
25 work?

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1 A. I was just trying to get a loan for the
2 bank. You know, it's -- that's pretty much -- you
3 know, do what we say and when we say to do it and
4 everything will be good, you know?

5 Q. What else do you remember Perdue telling
6 you when you first sat down with them to discuss
7 becoming a grower with them?

8 A. (Cell phone interruption).
9 I'm sorry. That bothered me.

10 Q. What else did Perdue -- you remember
11 Perdue talking with you about when you first sat
12 down with them about the opportunity to be a grower?

13 A. Like I said, just what I said. I don't
14 think there is -- there is anything else. The field
15 man would come out and look at everything every week
16 and tell us what to do.

17 Q. So you testified that they told you they
18 would come out, show you everything. You had to
19 abide by the rules. If something happened, you
20 would get written up. If you didn't comply you
21 would get cut off. So you began the relationship
22 knowing that information. Correct?

23 A. Yeah. A good bit of it, yeah. That --
24 I mean, some of it come with time but, you know,
25 it's definitely an understanding, you work for them,

1 no doubt.

2 Q. What part of it came with time?

3 A. Well, you know, you come to see how it
4 works, you know, with your field man and
5 understanding how, you know, you -- how little
6 options you have, I guess, on your end, because I
7 wasn't used to growing that way. Growing with two
8 other integrators it was totally different.

9 Q. Let's go through the -- let's go through
10 this 2007 Agreement a little bit. So you see
11 paragraph II it says: "Producer Agrees" on the
12 first page?

13 A. Oh. Paragraph VII?

14 Q. Paragraph II, Producer Agrees. It's
15 section II. It says: "Perdue Agrees" and then it
16 says "Producer Agrees."

17 A. Yes, ma'am.

18 Q. Do you recall reviewing this Agreement
19 before you signed it and these provisions that you
20 were agreeing to?

21 A. Yeah. But there are some things they
22 didn't put in here. But yeah.

23 Q. So you were agreeing to, if you look at
24 paragraph B: Feed, water, care for and otherwise
25 manage the chicks consigned to and provide necessary

1 housing, equipment, supplies to maintain equipment
2 and housing, utilities, labor to maintain such
3 housing and equipment in a good a state of repair --
4 or state of good repair and operable condition.

5 You understood that would be part of the
6 agreement?

7 A. Yeah. They also said that there was
8 interest-free loans that was available to do that
9 with.

10 Q. Okay. But you understood paragraph B
11 was part of the agreement?

12 A. Yeah. We had to do that.

13 Q. Okay. Did you understand that you were
14 to only use the feed medications, vaccinations and
15 other supplies which Perdue provided under paragraph
16 C?

17 A. Yes, ma'am.

18 Q. Okay. Did you understand under -- or
19 did you understand the rest of these? So D talks
20 about minders. E talks about disposal of birds.

21 Did you understand that you would be
22 required to comply with the rest of these
23 paragraphs, so A through M? And that's section IIA
24 through M on Perdue 002543 to 002534, Producer
25 Agrees.

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1 A. Yeah, they -- they said that. But, you
2 know, like I said, they offered help in some of it
3 too.

4 Q. Okay. And under IIIA, "Other Terms," it
5 says: Producer shall perform the services hereunder
6 using Perdue's established procedures and otherwise
7 sound farming and growing practices in accordance
8 with industry standards. Did you understand that
9 would be one of your obligations under the
10 agreement?

11 A. Oh, yeah, definitely, you had to do what
12 they said under their guidelines for sure.

13 Q. Okay. And go to the next page. This is
14 Perdue 002455. You see paragraph D there, it says:
15 Perdue may enter upon the premises of the producer
16 where flock is and shall be located to inspect the
17 flock or facilities. If producer is not
18 satisfactorily performing producer's obligations
19 under the agreement to care for, treat and maintain
20 the flock, or if this agreement has been terminated
21 in accordance with its terms, Perdue may enter upon
22 the premises of producer where the flock is located.

23 Did you understand, under this
24 paragraph, that they would be entitled to come onto
25 your farm to inspect the flock or the facilities?

1 A. Yeah. The field man came every week,
2 sometimes twice.

3 Q. Okay. Did you understand the remaining
4 obligations set forth in paragraph E and F on this
5 page, Perdue 002455?

6 A. Yeah, they -- they allow you to do the
7 weight, but it was an impossibility, really. You
8 can't be in two places at once.

9 Q. And did you understand that under
10 paragraph IVA that the agreement provided that you
11 were to be an independent contractor?

12 A. It may read that, but it didn't seem --
13 it didn't seem that way at all.

14 Q. Okay. We will talk about that in a
15 minute.

16 A. Okay.

17 Q. Let's go to -- just so I'm clear, do you
18 believe that this June 2006 Agreement was the first
19 one you signed?

20 A. I would think it would have been before
21 I got my loan. And this would have to be after. I
22 mean, I really don't -- the earlier date would make
23 more sense if she had signed it. But she didn't
24 sign it.

25 The first time I met with them and the

1 MS. VAUGHN: Object to form.

2 WITNESS CONTINUES:

3 A. Unfair -- I mean, basically, I was ran
4 out of business, I feel.

5 And it seems, too, that I had upset
6 Perdue and then I was pretty much starved out.
7 That's how I feel.

8 Q. And you testified yesterday that you
9 believe that that's what -- that this treatment by
10 Perdue is what caused you to file bankruptcy. Is
11 that right?

12 A. Yes. Yeah. Yeah. Some of it, yeah. I
13 mean, it's -- yeah.

14 Q. Okay. So let's go through your
15 different claims. When is -- you are claiming that
16 Perdue breached its contract with you. When did you
17 first believe Perdue breached a contract with you?

18 MS. VAUGHN: Object to form.

19 THE WITNESS: Well, even going back to
20 some of these I notice that -- where it talks about
21 they would place chickens -- we are on the system
22 that if they -- you know, if I don't get the same
23 kind of bird the next farmer does and we are
24 competing against each other, if I get a lesser
25 bird, there is a lot of control in that that they

1 BY MS. SANTEN:

2 Q. You have a breach of contract claim, so
3 I'm trying to understand the basis for your breach
4 of contract claim.

5 A. Well --

6 MS. VAUGHN: Object to form.

7 THE WITNESS: -- the -- I'm not -- I'm
8 not a lawyer, so I don't know a lot of the lingo or
9 whatever that, you know, would define that. So I
10 mean, I could go back -- and we could go back and if
11 you give me a chance to talk with -- you know, with
12 my counsel, I can have a better answer --
13 (cross-talking).

14 BY MS. SANTEN:

15 Q. I'm just trying to -- you have brought a
16 breach of contract claim in your lawsuit.

17 A. Yeah.

18 Q. So I'm trying to understand when you
19 first felt Perdue breached your contract and how.

20 MS. VAUGHN: Object to the form.

21 THE WITNESS: Well, like I said, I'm not
22 a lawyer in this. But the contract was breached by
23 not -- I mean, we didn't have a fair system, in my
24 opinion.

25 BY MS. SANTEN:

1 Q. What provision in the contract do you
2 believe that breached?

3 MS. VAUGHN: Object to form.

4 THE WITNESS: I would have to read the
5 contract.

6 BY MS. SANTEN:

7 Q. You can take your time.

8 MS. VAUGHN: Maggie, you're asking him
9 to make legal conclusions about what this contract
10 required.

11 MS. SANTEN: I'm asking --

12 MS. VAUGHN: And if you have factual
13 questions about what he believes --

14 MS. SANTEN: He has a breach of contract
15 claim. I'm entitled to explore what paragraph he
16 thinks was breached.

17 MS. VAUGHN: You're asking him to
18 interpret legal provisions of a contract.

19 MS. SANTEN: No. He has a breach
20 contract claim. I'm just asking him to identify
21 which provision was breached. This is his lawsuit.

22 MS. VAUGHN: He is trying to answer --

23 MS. SANTEN: This is his claim.

24 MS. VAUGHN: He is trying answer your
25 questions factually about what he thinks Perdue did

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1 wrong. But asking him to interpret a contract
2 provision is a legal question that he is not capable
3 of --

4 MS. SANTEN: No. Asking him to say how
5 Perdue breached the agreement is his very claim.

6 MS. VAUGHN: And he is explaining that
7 to you.

8 MS. SANTEN: I'm entitled to ask him
9 that. He is looking through the Agreement and he is
10 going to provide an answer.

11 THE WITNESS: On E, where they -- one
12 thing to provide us the information, but in my
13 opinion it's something else to pretty much dictate
14 everything you do in every way. And other than when
15 you wake up and when you go to sleep you're pretty
16 much under --

17 BY MS. SANTEN:

18 Q. What provision -- my question is, what
19 provision do you believe that breached?

20 MS. VAUGHN: Object to form, calls for a
21 legal conclusion.

22 THE WITNESS: I don't know what you
23 would lay it under. I really don't know. I'm just
24 saying this is something I dealt with, though,
25 that --

1 BY MS. SANTEN:

2 Q. So when is the first time that you dealt
3 with that?

4 A. -- I didn't deal with it with other
5 integrators.

6 Q. When is the first time you dealt with
7 that, what you're referring to?

8 MS. VAUGHN: Object to form.

9 THE WITNESS: Well, pretty much, you
10 know, it was different; definitely different day
11 one, unlike, you know, anything I had experienced
12 through other integrators.

13 BY MS. SANTEN:

14 Q. So do you believe you were not treated
15 as an independent contractor from day one?

16 MS. VAUGHN: Object to form.

17 THE WITNESS: No. I mean, it was more
18 like an employee situation. That there is the way
19 it felt.

20 BY MS. SANTEN:

21 Q. And when do you believe that started?

22 A. Pretty much in the first part of growing
23 I sensed that.

24 Q. And so that would have been what, 2007
25 when you believe you were an employee?

1 A. Yeah. I mean, it seemed to get more and
2 more through the years.

3 Q. So did you feel like you were treated as
4 an employee the entire time you were a grower with
5 Perdue?

6 A. More so than any other integrator I had.

7 Q. Okay. So is that a yes?

8 A. Yes.

9 MS. VAUGHN: Object to form.

10 BY MS. SANTEN:

11 Q. And do you believe that you should have
12 been paid as an employee the entire time, then, as
13 well?

14 MS. VAUGHN: Object to form.

15 THE WITNESS: I'm not -- I don't -- I'm
16 not -- paid, what do you mean as an employee? Like
17 daily? Are you talking about working daily?

18 BY MS. SANTEN:

19 Q. Well, you said you felt like you were an
20 employee. So are you -- do you believe you should
21 have been paid like an employee as well?

22 A. Should have, probably.

23 Q. And is that from day one also?

24 A. I would -- I would say it goes back --
25 like I said, it was definitely different than any

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1 other integrator that I had grown for. They didn't
2 dictate everything.

3 Q. Well, I'm trying to get a sense. So
4 would you agree, then, that you believe you should
5 have been paid as an employee from day one also?

6 MS. VAUGHN: Object to form.

7 THE WITNESS: I really don't know the
8 answer to it other than I definitely wasn't
9 independent.

10 BY MS. SANTEN:

11 Q. Okay. And you felt that from day one?

12 A. Like I said, more so than anywhere else
13 I had been.

14 Q. And your lawsuit alleges that you
15 believe that breached the agreement. Is that right?

16 MS. VAUGHN: Object to form.

17 THE WITNESS: I don't have a clue what
18 all it alleges.

19 BY MS. SANTEN:

20 Q. Okay. Well, your agreement said you
21 would be treated as an independent contractor.
22 Right?

23 A. What now?

24 Q. Your agreement provides you would be
25 treated as an independent contractor. Correct?

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1 A. Well, yes, I think that's what it says,
2 yeah.

3 Q. But you don't agree that you were from
4 day one. Correct?

5 A. I didn't feel that way.

6 Q. Okay. And you felt they violated the
7 agreement in that way from day one. Is that right?

8 A. Yeah. I mean, that's one of the things
9 that didn't feel right about growing, the difference
10 in the growing.

11 Q. What other ways do you think Perdue
12 breached the agreement with you?

13 MS. VAUGHN: Object to form.

14 THE WITNESS: Breached the agreement.
15 See, I don't know what all the agreement -- because
16 to me, giving me chickens that I can grow and make
17 them money was the goal for me. But when I'm
18 getting lesser quality in feed, in chickens, and
19 they controlled all of that, it made it hard for me.
20 BY MS. SANTEN:

21 Q. So do you understand in this lawsuit you
22 also claim that Perdue negligently misrepresented
23 the nature of your relationship?

24 A. I don't understand that.

25 MS. VAUGHN: Object to form.

1 BY MS. SANTEN:

2 Q. When do you first believe that they
3 misrepresented that you were an independent
4 contractor?

5 MS. VAUGHN: Object to form.

6 BY MS. SANTEN:

7 Q. Was that day one also?

8 A. That pretty much --

9 MS. VAUGHN: Object to form.

10 WITNESS CONTINUES:

11 A. -- like I said, started, but seemingly
12 got worse than what I had experienced with other
13 integrators. Other integrators just don't, pretty
14 much, lord over everything, you know?

15 Q. When did that start with Perdue? Day
16 one as well?

17 A. Well, it went through the -- but
18 seemingly got worse, especially when I felt they
19 were starving me out at the end.

20 Q. Well, when it did start?

21 A. Like I said, on that part it was
22 different day one, but got worse after I found the
23 trailers that they were weighing from other growers
24 and putting it on mine.

25 Q. That was 2015?

1 MS. VAUGHN: Object to form.

2 BY MS. SANTEN:

3 Q. Things we haven't talked about to date.

4 MS. VAUGHN: Object to form.

5 THE WITNESS: Well, they control when
6 you get -- of course when you get birds, you start.
7 They tell you when you're going to get them. Of
8 course that's common. But then you -- you have to
9 have a certain amount of things done, like for the
10 PVP program or they will take that money away from
11 you. I have never experienced that before. And you
12 have got to have all that done prior to.

13 After you start growing they control the
14 lights. They control the water. I mean, how much
15 water you put into them, the level of water. How
16 much consumption -- you know, how much pressure is
17 on the water line. How much feed is put down. They
18 monitor all these things, how much air comes in
19 through a side vent, how much -- how many fans you
20 can run normally at a time into the growout.

21 They control and maintain that you have
22 to have a certain airflow when the bird gets larger.

23 They control how high off the ground the
24 feed lines are, how high off the ground the water
25 lines are. What kind of equipment you use to do

1 that with, it has to be approved.

2 How your grass is mowed. Bait stations.
3 And I'm sure I'm missing stuff.

4 Q. And you believe all of those things
5 support your contention that you were an employee
6 and not an independent contractor?

7 MS. VAUGHN: Object to form.

8 THE WITNESS: You just asked me what
9 they controlled and what they was over. That's some
10 of it.

11 BY MS. SANTEN:

12 Q. In your lawsuit you say that they
13 breached the contract because they controlled
14 various things, so I'm just trying to understand
15 your claim.

16 A. They controlled all of it.

17 MS. VAUGHN: Object to form.

18 BY MS. SANTEN:

19 Q. And did they control all that from the
20 beginning?

21 A. Pretty much, yeah. Well, like I said,
22 things progressed as the years gone by.

23 Q. Did they control all that from the
24 beginning, what you just mentioned?

25 MS. VAUGHN: Object to form, asked and

1 you.

2 Q. Are you asking for money as part of this
3 lawsuit?

4 A. I'm not -- I'm not saying that. I'm
5 just saying I have told you the same answer four
6 times, and I'm trying to get you to see that that's
7 not my goal.

8 Q. Well, I'm asking, are you not asking for
9 any money at all?

10 A. This -- yeah. I mean, I know I was done
11 wrong financially so -- I mean, that's not my
12 decision though.

13 Q. But what are -- so what are you trying
14 to get in this lawsuit, that's what I'm asking you,
15 money?

16 A. I want to help other farmers not go
17 through what I went through.

18 Q. So what money are you asking for in this
19 lawsuit?

20 A. I don't have a dollar figure, and I said
21 that.

22 Q. Do you understand that you're seeking
23 overtime compensation as part of this lawsuit?

24 A. It may be, but I'm not putting a number
25 on it. I don't have that.

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1 Q. How many years do you think you should
2 get overtime compensation for?

3 A. That's not mine to decide.

4 Q. I'm asking. You filed this lawsuit.

5 A. I don't -- I don't know. I don't know.

6 Q. The whole time you were a grower? Do
7 you think you were financially damaged the whole
8 time you were a grower?

9 A. More so through the backside, but yeah.
10 I mean, it was different growing for Perdue the
11 entire time.

12 Q. So you believe you were damaged --

13 A. But it was worse as we were -- toward
14 the -- you know, after -- I didn't know I was -- if
15 I had to go over Perdue -- I wouldn't have said
16 anything, but I was getting somebody else's trailer
17 on my check, and I felt --

18 Q. In 2015.

19 A. -- and I felt they needed to know that.

20 Q. That was 2015?

21 A. It was in that timeframe, 2016, yeah
22 right in there.

23 Q. And I'm asking whether you felt you are
24 financially damaged at all from 2006 to 2015 from
25 Perdue.

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1 A. It's hard to -- you know, they -- things
2 weren't right. I don't -- I can't understand -- I
3 don't understand damage and I don't understand
4 monetary, you know, this or that. I just know that
5 things weren't right.

6 Q. Okay. So sitting here today you're not
7 able to tell me what money you're looking for from
8 this lawsuit?

9 MS. VAUGHN: Object to form.

10 THE WITNESS: I don't have dollar
11 figures, no.

12 BY MS. SANTEN:

13 Q. Okay. And sitting here today you're not
14 able to identify any other paragraph in your
15 contracts that you believe Perdue breached?

16 MS. VAUGHN: Object to form.

17 BY MS. SANTEN:

18 Q. And take your time. This is not a --

19 A. I don't -- where are we at now? Are we
20 going back to the other thing?

21 Q. No. You have a breach of contract
22 claim, so I'm just trying to be sure I understand
23 every single paragraph you think Perdue breached.

24 A. I don't have the answer to that because
25 I basically shared the story and, you know, with my

1 attorneys, and they would have known what was
2 breached and what wasn't breached, not me. I mean,
3 I don't know all that.

4 Q. Well, then let's go in here. Did you
5 review this complaint before it was filed?

6 A. Yes, ma'am.

7 Q. Okay. So let's go back to the paragraph
8 of breach of contract just to make sure I understand
9 it all.

10 A. But understanding everything a lawyer
11 wrote is different than reading something.

12 Q. This was filed on your behalf, sir, so
13 I'm just trying to understand.

14 A. I understand that.

15 Q. Okay. So we talked about 114. We
16 talked about 115. Do you believe that --

17 A. 114.

18 Q. Okay. So you say: "Perdue, in breach
19 of the contract" -- this is paragraph 117 -- "Perdue
20 refused to provide Parker with accurate information
21 used to determine his compensation." When did that
22 first happen?

23 A. Let's see. Now, 114, is that what you
24 said?

25 Q. 117.

1 A. Oh. My bad.

2 Q. "In breach of the contract, Perdue
3 refused to provide Parker with accurate information
4 used to determine Parker's compensation." When did
5 that first happen?

6 A. Yeah. The pay seemed to be off. And I
7 requested -- because the system they have, it is
8 impossible almost for a grower to figure because
9 you're going between feed, you're going between
10 amount of birds you get, and you're going between
11 type birds you get. And then, you know, how many
12 days you grow versus someone else, but you're
13 supposed to compete with someone else and you get
14 money taken away from you. And I -- I have tried to
15 get an understanding of how everything worked and
16 requested that I get information that I could figure
17 myself.

18 Q. When did you first request that
19 information?

20 A. That was -- Lord, that was probably in
21 2017, 2016, just guessing.

22 Q. And so you believe the first time you
23 requested that information was 2017 or 2016, and
24 Perdue didn't give it to you. Is that right?

25 A. Well, they even -- they tried but it

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1 was -- it wasn't -- they couldn't because there was
2 too many factors.

3 Q. My question is, was that the first time
4 that happened? You have here that you believe they
5 breached the contract -- and I'm just right in your
6 complaint -- when they refused to provide you with
7 accurate information. Is the first time that
8 happened 2016 or 2017?

9 MS. VAUGHN: Object to form.

10 THE WITNESS: It's in that timeframe. I
11 just don't know when. But if they couldn't show me
12 how to do it, how do they do it was my question.

13 BY MS. SANTEN:

14 Q. Do you believe that Perdue breached the
15 contracts when allowing flock advisors to come onto
16 your farm?

17 A. No.

18 Q. Okay. You indicate here that Perdue
19 didn't provide you with sufficient inputs for
20 raising chickens. When do you believe that started?

21 A. Say that again now. They wouldn't --

22 Q. Wouldn't provide you with sufficient
23 inputs for raising chickens. When do you believe
24 that started?

25 A. Inputs. What number are we looking at?

1 Q. 118.

2 A. Well, that would be feed. Birds. Let
3 me think. 2000 -- when I started noticing things,
4 2016-ish. I'm just -- I'm just guessing that
5 timeframe, really, because I don't really know the
6 exact date.

7 Q. And is it your testimony that before
8 2016 Perdue provided sufficient inputs for you at
9 all times?

10 A. Do what now?

11 Q. Do you believe, prior to 2016, Perdue
12 did provide sufficient inputs to you at all times?

13 A. I really don't know. I don't know how
14 to -- it's just when I started realizing -- you
15 know, when I saw it, feed that they said was there
16 wasn't there. You know, I can't -- it's just --
17 it's just things I started noticing.

18 Q. And do you believe Perdue subjected you
19 to mandatory guidelines the entire time you were a
20 grower?

21 A. I mean, yeah, the guidelines were
22 mandatory. I don't think they were optional.

23 Q. Okay. And that started in 2006?

24 A. Yes, ma'am.

25 Q. Okay. So in paragraph 119 you say: "As

1 a result of Perdue's breach of the Producer
2 Agreement, Parker has lost money and property,
3 including but not limited to benefits of employment
4 and capital outlays that Parker made that Perdue,
5 had it properly operated as his employer, would
6 otherwise be required to pay."

7 I'm trying to determine what money
8 you're seeking here.

9 A. It's not that I'm seeking funds. It's
10 life. They have taken away my life, in general.
11 Because of the pressures that I had, it led up to
12 many things in my life.

13 And my -- you know, when I reported to
14 USDA I didn't know I was making them so mad, really,
15 and I --

16 Q. My question was, what money are you
17 seeking?

18 A. Well, let me finish. They -- they --

19 Q. You need to respond to my question.
20 What money are you seeking?

21 A. I can't answer it?

22 Q. You can answer and then you can explain.

23 A. They -- they have taken my very life --

24 Q. What money are you seeking? And then
25 you can explain that.

1 A. -- away from me, and I'm trying to
2 explain how they did it.

3 Q. Well, what money are you seeking, and
4 then you're welcome to explain your answer.

5 A. I'm not seeking a dollar figure, and I
6 have said that.

7 Q. Okay. Thank you.

8 A. And they went on to put pressure on me
9 in every way that led to a stressful life. In 2018,
10 after being married forty years, got the best of --
11 in my opinion, got the best of that. That year my
12 son had to move out, and he committed suicide.

13 Q. I'm sorry to hear that.

14 A. I went through -- Perdue put me through
15 the ringers after I called the USDA. They took my
16 life away from me --

17 Q. Sir, I understand. I'm asking --

18 A. -- in every way.

19 Q. -- what money -- I'm asking what money
20 you're seeking from them.

21 A. I'm not --

22 Q. This might be the only time we talk.

23 A. You keep interrupting me. And I told
24 you I'm not seeking money. You keep asking.

25 Q. Okay. Okay. I will move on.

1 A. Let me finish.

2 Q. That's fine.

3 A. Let me finish.

4 Q. I appreciate your response.

5 MS. VAUGHN: Let her finish.

6 BY MS. SANTEN:

7 Q. I appreciate your response.

8 We talked last time about a bankruptcy
9 that you had filed. Since your last deposition have
10 you tried to amend your bankruptcy petition at all?

11 A. Since my last petition?

12 Q. Since your last deposition.

13 A. No.

14 Q. Okay. I think I just have a few more
15 things.

16 MS. VAUGHN: We have been going a little
17 over an hour. Would now be a good time for quick
18 break?

19 MS. SANTEN: Sure. That's fine.

20 THE VIDEOGRAPHER: The time on camera is
21 approximately 11:11. We are off the record.

22 (Break In Proceedings)

23 THE VIDEOGRAPHER: The time on camera is
24 approximately 11:27 a.m. We are back on the record.

25 Counsel, you may proceed.

1 BY MS. SANTEN:

2 Q. Okay, Mr. Parker. We are back from a
3 short break. Do you understand you're still under
4 oath?

5 A. Yes, ma'am.

6 Q. Okay. Is there anything in your
7 testimony from prior to the break that you need to
8 clarify or change?

9 A. Well, I was giving thought to one thing.
10 I guess -- well, not guess. I am seeking, you know,
11 something out of this. I just can't -- I mean, I
12 don't know what you put a number on -- how you put a
13 number on what I have gone through. And -- well,
14 it's not mine to do anyway.

15 Q. Well, when -- what time period do you
16 think Perdue owes you money for?

17 A. Well, I don't -- I don't quite know how
18 to answer that, because you have got factors there
19 on independent contractor versus when they got upset
20 with me and did away with me; you know, not putting
21 birds back, telling me -- but, you know, I don't --
22 I really don't have an answer to that.

23 Q. So you don't know what -- I mean, you
24 just clarified, after a break, that you are seeking
25 money. I'm asking, what financial damage did

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1 MS. SANTEN: Objection, vague.

2 THE WITNESS: No. I wasn't told that
3 directly, no.

4 BY MS. VAUGHN:

5 Q. And at the time you were entering
6 contracts with Perdue, when they presented these
7 contracts to you, did anyone at Perdue ever tell you
8 that they would impose additional requirements on
9 you if you raised questions about the tare weights?

10 A. No.

11 MS. SANTEN: Objection, vague.

12 BY MS. VAUGHN:

13 Q. At the time that Perdue presented you
14 with these contracts to have you sign them, did
15 anyone at Perdue ever tell you that they would give
16 you lesser inputs if you called the USDA with
17 questions about Perdue?

18 MS. SANTEN: Objection, vague.

19 THE WITNESS: Yes.

20 BY MS. VAUGHN:

21 Q. Someone did tell you that?

22 A. Yes.

23 Q. Who told you that?

24 A. James North.

25 Q. Did he tell you that at the time you

1 were signing these agreements?

2 A. No.

3 Q. Did he tell you that after you signed
4 the agreement?

5 A. Yeah. Yeah, I wouldn't sign an
6 agreement the day he told me that.

7 Q. And did he tell you that after you had
8 called USDA?

9 A. Yes. Well, he suggested I call USDA,
10 and then I did.

11 Q. And at the time that you signed these
12 agreements you looked over in Exhibit 23, though, at
13 the time you were looking at these and filling them
14 out did anyone at Perdue inform you at that time
15 that if you called USDA, Perdue would give you
16 lesser inputs?

17 A. No.

18 Q. Did anyone -- at the time that you were
19 presented with these agreements and signed them, did
20 anyone at Perdue tell you at that time that they
21 would put additional requirements on you if you
22 called USDA about Perdue?

23 MS. SANTEN: Objection, vague.

24 THE WITNESS: When I signed this, no.

25 BY MS. VAUGHN:

1 Q. How about when you signed the one in
2 2016, did anyone tell you at that time?

3 MS. SANTEN: Same objection.

4 THE WITNESS: No. No. I wasn't told
5 that on any signing of contracts.

6 BY MS. VAUGHN:

7 Q. All right. Ms. Santen asked you
8 specifically, too, about section IIA on these
9 contracts. Do you see section II, Producer Agrees,
10 on the page that's the Bates Perdue 2453?

11 A. Yes.

12 Q. All right. And look at paragraph IIB
13 there. Do you see paragraph IIB?

14 A. IIB. Okay.

15 Q. And do you see where it says: "To feed,
16 water, care for and otherwise manage the chicks
17 consigned and to provide the necessary housing,
18 equipment, supplies to maintain equipment and
19 housing, utilities and labor and to maintain such
20 housing and equipment in a state of good repair and
21 operable condition," do you see that there?

22 A. I do.

23 Q. Did this contract tell you that Perdue
24 would have specific upgrades and equipment it wanted
25 you to use in your houses?

1 MS. SANTEN: Object to form.

2 THE WITNESS: No, it had no specifics.

3 BY MS. VAUGHN:

4 Q. And at the time that you signed this
5 agreement, in 2007 when Perdue presented this
6 agreement to you, did they also tell you all of the
7 specific upgrades and equipment they would require
8 you to have over the years?

9 A. No.

10 Q. How about when you signed the agreement
11 in 2014, when they gave that agreement to you at
12 that time did they give you a list of the specific
13 upgrades and equipment that they would require you
14 to have over the years?

15 A. No.

16 Q. How about when you signed the 2016
17 agreement, did they give you, at that time when they
18 presented that contract, a list of the specific
19 upgrades and equipment they would require you to
20 have over the years?

21 MS. SANTEN: Objection, vague.

22 THE WITNESS: Not when getting the
23 contract.

24 BY MS. VAUGHN:

25 Q. All right. Turn to --

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1 THE COURT REPORTER: I'm sorry. Can you
2 say your answer again?

3 THE WITNESS: Not when getting the
4 contract. Sorry.

5 BY MS. VAUGHN:

6 Q. And were the specific upgrades and
7 requirements more than you had expected when you
8 signed the contract?

9 MS. SANTEN: Objection, vague.

10 THE WITNESS: They was continually
11 adding things to do. But no, I didn't expect it,
12 no.

13 BY MS. VAUGHN:

14 Q. And when you say they were continually
15 adding things, were you referring to upgrades and
16 equipment they wanted you to have?

17 A. Yes.

18 Q. And when you say they were continually
19 adding things, was that over the course of your
20 relationship with Perdue or just in a specific time
21 period?

22 A. No. It started a couple months after I
23 bought the first farm. Then they immediately had
24 to -- had to put in the cool cells and stuff.

25 Q. How about after you called USDA, did the

1 upgrades and equipment that they were requiring
2 change after that point?

3 A. After USDA the -- they had given me a
4 quite extensive list of things they wanted done.

5 Q. And was that list consistent with your
6 expectations on what they would require based on
7 your prior work with them, or was it different?

8 MS. SANTEN: Objection, vague.

9 THE WITNESS: No. It was a good bit
10 different.

11 BY MS. VAUGHN:

12 Q. In what way?

13 A. It was thousands of dollars of stuff
14 that all of a sudden they wanted done. And, you
15 know, and instead of normally allowing you time to
16 do that, I had no time.

17 BY MS. VAUGHN:

18 Q. Let's turn to -- in this contract still
19 in Exhibit 23 from May 2007, if you could turn,
20 Mr. Parker, to the second page which, at the bottom,
21 says 2454.

22 A. 2454?

23 Q. Uh-huh.

24 A. Okay. These are turned upside down.

25 Q. It's in the same contract we were just

1 in.

2 A. Okay. My bad. 2454.

3 Q. The second page.

4 A. Okay. I thought we were changing
5 contracts. Okay. My bad.

6 Q. All right. And do you see the section
7 III there at the bottom that says "Other Terms"?

8 A. Yes, ma'am.

9 Q. All right. And do you see letter A
10 under section III?

11 A. Yes, ma'am.

12 Q. Do you see where it says: "Producer
13 shall perform the services hereunder using Perdue's
14 established procedures?" Do you see that there?

15 A. I do.

16 Q. Now, at the time that you were given
17 this contract to sign were all of Perdue's
18 procedures laid out in this contract?

19 A. I'm trying to think. I don't think so.
20 I don't see that.

21 Q. For example, did Perdue tell you the
22 specific temperature you had to keep your houses on?

23 A. That was a continual change, different
24 temperatures, and every time -- yeah, that would
25 change all the time.

1 Q. And at the time you signed your first
2 contract with Perdue when they presented this
3 contract to you, did you expect that Perdue would
4 tell you specifically what sort of temperature, what
5 sort of lighting and things you had to have in your
6 houses?

7 A. I never experienced that before, no.

8 Q. And all of the requirements that Perdue
9 put on you, were they in other documents that Perdue
10 gave you over the years?

11 A. Say at that again, please.

12 Q. All the requirements that Perdue put on
13 you, were they in other documents that Perdue gave
14 you over the years?

15 MS. SANTEN: Objection, vague.

16 THE WITNESS: I don't -- I don't know.
17 I don't -- I don't think so. I think the contracts
18 were different than -- they didn't really have some
19 of the things in it that they required.

20 BY MS. VAUGHN:

21 Q. The contracts didn't have some of the
22 requirements in them?

23 A. Right.

24 Q. So when -- strike that.

25 Were there documents called, like,

1 "never dos" and "always dos"?

2 A. Yeah. I think there were three of
3 those, never do, sometimes, and -- there was three
4 of them, anyway, and I can't remember them.

5 Q. And did those documents have additional
6 requirements you had to follow under Perdue?

7 MS. SANTEN: Objection, vague.

8 THE WITNESS: Yeah. I would have to
9 look at those again to -- to remember exactly what
10 they were. But I do remember that was -- they had a
11 list of never dos, you know, and I remember that
12 list.

13 BY MS. VAUGHN:

14 Q. And those lists, the never dos, that's
15 different from the contract you signed?

16 MS. SANTEN: Objection, vague.

17 THE WITNESS: It is.

18 BY MS. VAUGHN:

19 Q. How about bio-security rules? Did the
20 contracts lay out all of the specific bio-security
21 rules you had to follow?

22 A. No.

23 Q. Were those given to you in other
24 documents?

25 A. Yeah.

1 Q. And were those more extensive than you
2 expected based on the contract?

3 MS. SANTEN: Objection, vague.

4 THE WITNESS: Yes, they were. They -- I
5 never expected I couldn't have a hummingbird feeder
6 or anything like that. You know, never could go to
7 the store a certain time of year.

8 BY MS. VAUGHN:

9 Q. And did the requirements, over the
10 course of your relationship with Perdue, change over
11 time?

12 A. Yes.

13 Q. Did they stay about the same or did they
14 become more onerous?

15 MS. SANTEN: Objection, asked and
16 answered.

17 THE WITNESS: Through the years they
18 progressively got more and more demanding on their
19 requirements and things, as I testified earlier. A
20 lot of -- a lot of -- I mean, a lot of on-hands. It
21 was hard to keep up with sometimes.

22 BY MS. VAUGHN:

23 Q. And Ms. Santen showed you a contract
24 that you signed in December 2016 for your
25 Milledgeville farm. That's the document with the

1 Exhibit 4 sticker at the bottom.

2 A. Okay. 4 sticker? Yeah, I see it now
3 right here. Okay.

4 Q. When you're talking about the
5 requirements becoming more and more over time, did
6 that trend continue after you signed this 2016
7 agreement?

8 A. Yeah, it seemed to. Well, these
9 contracts were coming at us numerous times. You
10 know, sometimes it felt back to back to back, this
11 or the one agreement that we had like on each bird
12 size and had an agreement for each bird size and
13 everything like that. We were continually being
14 given stuff, basically just sign it, you know, and
15 you give it back to them.

16 Q. How about after you called USDA, did the
17 requirements on you change in any way after that?

18 MS. SANTEN: Objection, asked and
19 answered.

20 THE WITNESS: Yeah, things were
21 different. I mean, definitely different after that.
22 BY MS. VAUGHN:

23 Q. In what way?

24 A. Well, I went from -- I was noticing more
25 of the seemingly -- you know, finding more of the

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1 trailers that were supposed to be on another farm,
2 in my farm, in some of those times.

3 After that they gave me -- basically
4 gave me the guy that was considered to be the
5 hitman. But when I had him, all of a sudden I was
6 getting not just a field man, but I was having
7 somebody come take photos and do things that I have
8 never seen before.

9 Q. After you called USDA did Perdue also
10 put new requirements on you as far as how you
11 maintain your chicken farm and raise the chickens?

12 MS. SANTEN: Objection to form.

13 THE WITNESS: Say that again now. I'm
14 trying understand.

15 BY MS. VAUGHN:

16 Q. After -- after you called USDA did you
17 also start to get new requirements from Perdue
18 related to the maintenance of your chicken farm and
19 raising chickens?

20 A. Yeah. I mean, I had a list of things
21 that they were basically demanding. And I had --
22 all of a sudden they went from helping the farmer to
23 rejecting being able to help me.

24 Q. Let's take a look at what Ms. Santen
25 showed you in Exhibit 22. I have a couple followups

1 there.

2 A. Exhibit 22. Okay. Thank you.

3 Q. And it looks like there's two stapled
4 packets in Exhibit 22. Is that what you have, two
5 different stapled packets?

6 A. Statement? That one?

7 Q. Yes. Okay.

8 So let's talk about the one that has the
9 Bates number at the bottom Parker 2551.

10 A. Okay.

11 Q. Do you see that one?

12 A. Yes, ma'am.

13 Q. All right. And does this appear to be a
14 letter from Kathryn Mizell to you?

15 A. It does.

16 Q. And who was Kathryn Mizell?

17 A. She was, like, over the flock
18 supervisors. She was like a superintendent.

19 Q. Okay. And do you see here that this is
20 dated October 16, 2018?

21 A. Yes.

22 Q. Okay. That's toward the end of your
23 time growing for Perdue?

24 A. It was.

25 Q. All right. And about halfway down the

1 page Ms. Mizell says: "To be compliant with the
2 Poultry Producer Agreement, you need to complete the
3 following prior to the next placement is scheduled."
4 Do you see that?

5 A. Yes.

6 Q. All right. And do you see a numbered
7 list there?

8 A. I do.

9 Q. So something like number 4: "All
10 propane tanks are 70% full," is that a requirement
11 that Ms. Mizell put on you in 2018?

12 A. Yes. I had never seen that before.

13 Q. That was a new requirement?

14 A. It was.

15 Q. All right. You can put that aside.

16 All right. Going back for a moment to
17 Exhibit 23, and back to this December 2016 contract
18 with the Exhibit 4 sticker on the bottom --

19 A. Okay.

20 Q. -- and that's Bates Perdue 2295. Are
21 you there?

22 A. Yes.

23 Q. Okay. Turn to the third page in this
24 agreement from 2016. And at the top there is a
25 letter N. Do you see that on the Bates 2297?

1 A. Yes.

2 Q. And it says: "To comply with any
3 bio-security policies, audits, measures or
4 guidelines required by Perdue." Do you see that?

5 A. Yes.

6 Q. So at the time you were presented with
7 this agreement in 2016 -- in December of 2016 to
8 sign, did this agreement also include all of the
9 bio-security policies, audits, measures or
10 guidelines you would be subject to?

11 MS. SANTEN: Objection. The document
12 speaks for itself. Vague.

13 THE WITNESS: They had a separate
14 bio-security policies pack, if I remember right.
15 Yeah.

16 BY MS. VAUGHN:

17 Q. And did they inform you about all of
18 those bio-security policies at the time you signed
19 this on December 16, 2016?

20 A. No. They -- they were continually
21 changing.

22 Q. All right. You can put that aside.

23 Ms. Santen asked you several questions
24 about when you thought the inputs were changed that
25 you were given by Perdue. Do you remember those

1 questions?

2 A. "Inputs" meaning --

3 Q. The feed, the medications.

4 A. Okay.

5 Q. The birds. Do you remember those
6 questions?

7 A. Yes.

8 Q. At some point did you receive feed from
9 Perdue that had concrete chunks in it?

10 A. I did.

11 Q. And was that before or after you called
12 USDA?

13 A. It was after. If my memory serves me
14 right, I'm pretty sure. Oh, yeah, it was after.

15 Q. And in response to Ms. Santen's
16 questions about what your legal claims are in this
17 case, you noted that you're not a lawyer, so I want
18 to follow up on that for a minute. Do you know the
19 legal definition of "negligent misrepresentation"?

20 A. No.

21 Q. So can you answer a question of when
22 Perdue may have legally negligently misrepresented
23 something?

24 A. Well, not really. I don't understand
25 the indepth of that. I don't quite understand it.

1 Q. Do you know the legal definition of
2 "independent contractor" or -- do you know the legal
3 definition of "independent contractor"?

4 A. Not legal, no.

5 Q. Do you know the legal definition of an
6 employee?

7 A. Not legally.

8 Q. So can you answer a question of whether,
9 under the law, you were properly classified as an
10 independent contractor?

11 MS. SANTEN: Object to form.

12 THE WITNESS: No.

13 BY MS. VAUGHN:

14 Q. Ms. Santen asked you if you had stated
15 in your deposition, today and yesterday, all of the
16 allegations that support your claims. Do you
17 remember those questions?

18 A. I do.

19 Q. Mr. Parker, are you aware that the
20 parties have exchanged lots of documents in this
21 case?

22 A. No. But I'm assuming they did, but I
23 don't know what they are.

24 Q. Have you reviewed some documents in this
25 case?

1 A. Yeah.

2 Q. Are you aware that there are things like
3 emails and text messages?

4 A. Yeah, I'm sure there were.

5 Q. And are you aware that there are
6 documents like your settlement sheets?

7 A. Yes.

8 Q. And do documents like that that you have
9 reviewed, do they also support all the allegations
10 that support -- excuse me. Do they also support
11 your claims?

12 MS. SANTEN: Objection, vague. Please
13 answer this question. You're just putting words in
14 his mouth.

15 THE COURT REPORTER: I didn't get his
16 answer.

17 THE WITNESS: I'm sorry. Which one?
18 BY MS. VAUGHN:

19 Q. The documents that you have reviewed in
20 this case, are they also documents that you believe
21 support your allegations in this case?

22 A. Yes.

23 MS. SANTEN: Same objection.

24 THE WITNESS: Yes.

25 BY MS. VAUGHN:

1 Q. Ms. Santen asked you about money or
2 financial damage that you suffered by Perdue. Do
3 you remember those questions?

4 A. Say that again. I'm sorry.

5 Q. Ms. Santen asked you about financial
6 damages you suffered from Perdue. Do you remember
7 those questions?

8 A. Yes.

9 Q. At some point did Perdue tell you they
10 wouldn't place any more chickens on your farm?

11 A. They did.

12 Q. And at some point did Perdue also give
13 you a list of requirements for you to be able to
14 sell your farm?

15 A. Yes.

16 Q. Were you able to sell your farm if
17 Perdue refused to give the buyer a contract?

18 A. On the other one, yeah.

19 I'm sorry. Say that one more time.

20 Q. Were you able to sell your farm if
21 Perdue refused to give the buyer a contract?

22 A. Yes.

23 Q. You were able --

24 A. No, I wasn't.

25 Q. -- to sell your farm?

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1 A. No, I was not able to sell it unless I
2 had a contract.

3 Q. And what happened to the Milledgeville
4 farm when you didn't have a contract on it?

5 A. Well, are you talking about to sell it
6 or --

7 Q. Yeah.

8 A. I had to have a contract with Perdue, or
9 the houses are really worthless without a working
10 contract.

11 Q. And did you try to sell it?

12 A. I did.

13 Q. Were you able to?

14 A. No. The upgrades that were required by
15 them -- actually, the realtor told me he had never
16 seen a list like it before. But it was so
17 indepth -- if I remember, the quote was almost a
18 half million dollars, and they would not even
19 guarantee that. Said it would be higher. That was
20 a starting point for everything that was on the
21 list.

22 Q. All right. And I want to ask you some
23 things about what Ms. Santen asked you yesterday.

24 So first, Ms. Santen asked you early
25 yesterday about some things you did to prepare for

1 Q. Did you have some kind of
2 decontamination pans at the doors to your chicken
3 farms?

4 A. I did.

5 Q. Was there any work you had to do related
6 to those when you had chickens?

7 A. You had to clean them once a week and
8 put fresh stuff in them. It was a white powder that
9 you bought from Perdue to put in it, or they
10 supplied, I can't remember which. But we got it
11 from them. And you would -- every chicken house
12 door you had to step in it. And then you had to
13 have one going into the chicken house and coming out
14 of the control room. So you had two per house.

15 Q. So how much time each week would you
16 spend doing things related to those decontamination
17 pans?

18 A. I had -- it would take probably, you
19 know, thirty minutes a house, sometimes -- I mean,
20 you know, it's according to --

21 Q. Once a week?

22 A. Yeah. Yeah.

23 Q. And did you have to do anything related
24 to your generator when you had chickens?

25 A. Yeah. You had to -- it was mandatory to

1 do a weekly log. It was mandatory that the
2 generator run weekly. And you had to visually
3 inspect the generator running weekly for thirty
4 minutes. And, you know, and then -- and then log
5 that to make sure -- you needed to make sure it ran
6 and make sure that you logged the meter time on --
7 they had a checklist.

8 Q. And about how much time would you spend
9 doing that every week when you had chickens?

10 A. It would take -- usually take an hour or
11 so to go through the -- you know, sometimes longer.

12 And sometimes you had -- I mean, you had
13 to do maintenance on the generator too, so you had
14 to change belts. Just like a chicken house, you had
15 to go through and do everything to the generator to
16 keep it going. The fuel level, I had to go buy
17 fuel, put fuel in the fuel tank. It held
18 500 gallons.

19 Q. And all the tasks you went through with
20 Ms. Santen and me, were those all done to meet
21 Perdue's requirements?

22 A. Yes.

23 Q. Were there any tasks that you walked us
24 through that you just did of your own accord,
25 separate from anything Perdue told you?

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1 inputs that we are talking about. And demands were
2 all of a sudden escalated and, you know, things all
3 the way across, growing for them, seemed to
4 multiply.

5 Q. Okay. And is it your testimony that you
6 were never subject to those inputs or demands before
7 this time period?

8 A. No. Not this way, no.

9 Q. Okay. What additional requirements did
10 Perdue put on you after you called USDA?

11 A. Like I said, I have all these upgrades.
12 I have got things to -- you know, all of a sudden I
13 went from being able to -- they would give -- when a
14 farmer, instead of the bird suffering, they would
15 help farmers by giving them interest-free loans and
16 help them put in water lines and feed lines. But
17 all of a sudden that was cut off after telling me
18 that -- telling me that I could have it.

19 I wasn't treated as other farmers were
20 treated with that.

21 And the excuse was I didn't put in my
22 water lines, when I did put in my water lines. I
23 just couldn't afford a \$6,000 bill.

24 But prior to that it wasn't that. It
25 was until I paid the loan off. So those things --

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1 Q. Okay. So other than water lines, what
2 else?

3 A. So those things. The general oversight
4 was higher. The field man was on me more. He is
5 taking pictures that I have never seen done before.

6 Q. Are you aware of the field man taking
7 pictures of any other grower?

8 A. No.

9 Q. Do you know, one way or the other,
10 whether he took pictures of any other grower?

11 A. I have never had a field man take
12 pictures at my house.

13 Q. Do you know of the amount of oversight
14 he was exercising over other growers?

15 A. I don't know about other growers.

16 Q. All right. What else?

17 A. I don't know. It was obvious that I was
18 being, in my opinion, run out of business. I had --

19 Q. I'm asking you what specific things you
20 were subject to that other growers were not.

21 MS. VAUGHN: Object to form.

22 THE WITNESS: That I was -- I just went
23 through a few of them.

24 BY MS. SANTEN:

25 Q. Anything else?